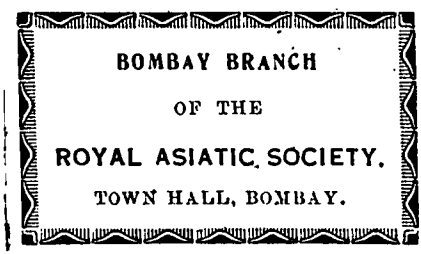
00027436



Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018

INK CO.

POOR RELIEF

93

GARTNER

IN DIFFERENT PARTS OF EUROPE.

UNITED INDIA

BEING A

Selection of Essays,

Translated from the German Work, 'Das Armenwesen und die Armengesetzgebung in Europäischen Staaten.'

27436

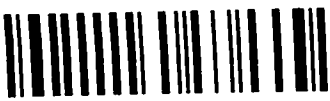
EDITED BY

A. EMMINGHAUS.

(HERBIG, BERLIN, 1870.)

REVISED BY E. B. EASTWICK, C.B., M.P.

LONDON:
EDWARD STANFORD, 6 AND 7, CHARING CROSS, S.W.
—
1873.


00027436

THE Secretary of the Charity Organisation Society, Mr. C. B. P. Bosanquet, first suggested that a translation of Herr Emminghaus' work should be made, believing it would be useful to those interested in improving the system of Poor Relief in England. A list of all the Essays contained in the original is subjoined, but such only have been translated as seemed most likely to interest English readers, and of these some have been abridged. The names of those omitted are printed in *italics.*

CONTENTS.

CHAPTER I.

PAGE

INTRODUCTORY CHAPTER. By A. Emminghaus .. 1

CHAPTER II.

PRUSSIA. By Ernst Bruch 34

CHAPTER III.

BERLIN. By Dr. H. Schwabe.. 71

CHAPTER IV.

ELBERFELD. By A. Lammers 93

CHAPTER V.

BREMEN. By A. Lammers 105

CHAPTER VI.

BAVARIA. By Professor Makowiczka 118

CHAPTER VII.

AUSTRIA. By Dr. Kleinwächter 130

CHAPTER VIII.

PAGE

SWITZERLAND. By Dr. Böhmert 157

CHAPTER IX.

SWEDEN AND NORWAY. By A. Lammers 185

CHAPTER X.

FRANCE. By Dr. Maurice Block 202

CHAPTER XI.

BELGIUM. By A. Emminghaus 239

CHAPTER XII.

THE NETHERLANDS. By Dr. M. M. Baumhauer .. 256

CHAPTER XIII.

ITALY. By Professor Luigi Bodio 274

INDEX 297

LIST OF ESSAYS

IN THE ORIGINAL WORK.

I. Introduction. I. Historical Retrospect. II. The Existing State of Things. III. Theoretical Principles. By The Editor.

II. Poor Relief and Poor Legislation in the Kingdom of Prussia as it existed until 1866. By Reg. Referend a. D. Ernst Bruch, of Berlin.

IIA. Poor Relief in Berlin. By Dr. H. Schwabe, Chef des Städt. Statist. Bureaus in Berlin.

IIB. Poor Relief in Elberfeld. By August Lammers, Redakteur des Bremer Handelsblattes in Bremen.

III. *Poor Relief and Poor Legislation in the late Kingdom of Hanover.* By Bürgermeister A. Grumbrecht, of Harburg.

IV. *Poor Relief and Poor Legislation in the Elbe Duchies.* By Professor Dr. W. Seelig, of Kiel.

V. *Poor Relief and Poor Legislation in the late Electorate of Hesse.* By Reg.-Rath W. Lotz, of Cassel.

VI. *Poor Relief and Poor Legislation in the Duchy of Nassau.* By K. Scholz, Rechtsanwalt in Wiesbaden.

VII. *Poor Relief and Poor Legislation in Frankfort-on-the-Maine.* By Dr. Adolph Varrentrapp, of Frankfort-on-the-Maine.

VIII. *Poor Relief and Poor Legislation in the Kingdom of Saxony.* By Dr. Herm. Rentzsch, of Dresden.

IX. *Poor Relief and Poor Legislation in the Grand Duchies of Mecklenburg.* By Advokat O. Wachenhusen, of Boitzenburg.

X. *Poor Relief and Poor Legislation in the Duchy of Brunswick.* By The Editor.

XA. *Poor Relief in the Town of Brunswick.* By Stadtrath A. Bammel, of Brunswick.

XI. *Poor Relief and Poor Legislation in the Grand Duchy of Oldenburg.* By Justizrath L. Strackerjan, of Oldenburg.

XII. *Poor Relief and Poor Legislation in the Duchy of Anhalt.* By Reg.-Rath. A. Rindfleisch, of Dessau.

XIII. *Poor Relief and Poor Legislation in Hamburgh.* By J. C. F. Nessmann, Vorstand des Statist. Bureau's der Deputation für dir. Steuern in Hamburg.

XIV. Poor Relief and Poor Legislation in Bremen. By August Lammers, of Bremen.

XV. *Poor Relief and Poor Legislation in Lübeck.* By Dr. Paul Kollmann, of Lübeck.

XVI. Poor Relief and Poor Legislation in the Kingdom of Bavaria. By Professor Dr. Makowiczka, of Erlangen.

XVII. *Poor Relief and Poor Legislation in the Kingdom of Würtemberg.* By Ober-Regierungsrath Bitzer, of Stuttgart.

XVIII. *Poor Relief and Poor Legislation in the Grand Duchy of Baden.* By The Editor.

XIX. *Poor Relief and Poor Legislation in the Grand Duchy of Hesse.* By Min. Sekretär P. Lotheisen, of Darmstadt.

XX. Poor Relief and Poor Legislation in Austria. By Dr. jur. Fr. Kleinwächter, Dozenten d. pol. Oekonomie der K. K. Universität zu Prag.

XXI. Poor Relief and Poor Legislation in Switzerland. By Prof. Dr. V. Böhmert, of Zurich.

XXII. *Poor Relief and Poor Legislation in Great Britain.* By D. H. Meier, of Fribourg i. B.

XXIII. Poor Relief and Poor Legislation in Sweden and Norway. By August Lammers, of Bremen.

XXIV. *Poor Relief and Poor Legislation in Denmark.* By August Lammers, of Bremen.

XXV. Poor Relief and Poor Legislation in France. By Dr. Maurice Block, of Paris.

XXVI. Poor Relief and Poor Legislation in Belgium. By The Editor.

XXVII. Poor Relief and Poor Legislation in the Netherlands. By Dr. M. M. von Baumhauer, of the Hague.

XXVIII. Poor Relief and Poor Legislation in Italy. By Professor Luigi Bodio, of Venice.

ADDENDA.

1. *Brunswick.* By Kreisdirector a. D. F. Bussius, of Brunswick.

2. *Statistics of European Poor Relief.* By The Editor.

POOR RELIEF

IN DIFFERENT PARTS OF EUROPE.

CHAPTER I.

INTRODUCTORY CHAPTER.

[By A. EMMINGHAUS.]

I. HISTORICAL RETROSPECT.

IT would be foreign to our purpose to offer any minute description of the views which have been entertained at different times in civilized countries on the subject of pauperism and the care of the poor; especially where those views stand in no appreciable relation to the ideas of our times. It is true the history is not devoid of interest. We might describe how the old ideas of theocracy gave rise to the compulsory system of relief enjoined in the Talmud; how the Koran prescribed a system in which more scope was given to voluntary exertion, but in which the main object in view was the salvation of the giver of alms rather than the relief of the recipient; how, in Athens, after the Peloponnesian war the care of the poor was transferred from the family, whose exclusive charge it was till then, to the State; how in old Rome there was a total absence of law relating to

the poor; and how, under the Empire, the poor were relieved, first by means of largesses bestowed on a select number, and afterwards by permanent charitable institutions established by the Emperors; and how in more modern times they have been supported by the charities of guilds. If, however, our object is to gain some assistance towards the practical solution of the questions of our own day, it will be more instructive to inquire into the origin of the views and the appliances now existing. Without attempting any independent historical inquiry, we may be content with a concise description of the successive phases which have led up to the conceptions now prevalent on the subject.

We may affirm generally of all Europe, what has been said of Hamburgh, that there have been three stages in dealing with the poor. From the earliest times of Christianity till late in the Middle Ages the care of the poor was left to the Church alone; after that it became a matter of State police, and the method employed was at first one of simple repression; finally, the municipalities undertook the task of relieving the Church and the police of these duties, or of completing their labours.

Of course this summary statement is only approximately true when applied to all the different countries of Europe. In the Papal States, in Spain, and Italy, the excessive charities of the Church are the cause of interminable trouble to the repressive police, while in Sweden and Norway the first and second stages have been almost entirely passed over, and the care of the poor has been the business of the municipality from the first. More-

over, in those countries where all three stages are to be observed, the transition from one to the other has not been everywhere equally complete and decisive, nor has the same stage been reached everywhere at the same time. In Holland the ecclesiastical care of the poor which was still flourishing in the fifteenth century and was afterwards put an end to, was re-established in an altered form in the seventeenth century, and has lasted to our own times. Nevertheless, when all allowance has been made for exceptional cases, we may still trace as a general rule the three stages above mentioned; whose respective characteristics are: first, the system of giving alms at the bidding of the Church; secondly, that in which measures of repression are adopted in self-defence, until discovered to be a useless expenditure of strength; thirdly, that according to which, with varying degrees of judgment and skill, the evil is dealt with by the machinery of municipal government.

Almost everywhere the Church leads the way. At the same time we must not look to Christianity alone for the origin of the ideas now prevalent in Europe on the subject of poor relief. Those Christian doctrines, according to which the mere fact of poverty, however brought about, carries with it something of a sacred character, and confers a chartered claim to relief, are plainly connected with the teaching of the Talmud. The difference is that the Talmud regarded alms as a means of restoring the divine order of the world by dividing the general property of the elect nation amongst its individual members, who had a temporary right of usufruct, while Christianity

enjoined the general giving of alms as an act of love to a man's neighbour, which ought to be exercised without regard of persons, even as God makes his sun to shine on the just and the unjust. With the Christian, in short, almsgiving was a religious duty, while, according to the Talmud, it was rendering to the poor man what both the law of religion and the civil law gave him a right to demand.

We may be sure that in the earliest times of Christianity, and so long as Christians were exposed to serious persecutions, the precepts of the Gospel were followed out in the true spirit of the apostles, and with the best results. Where all bore the same trials and shared the same faith, a corporate feeling was sure to be maintained. In those small communities, where the giver and the receiver of alms were little likely to lose sight of one another, gifts were, without doubt, made with discrimination and sympathy, and with moral benefit to both parties alike.

But oppression ceased, Christianity became a political power, by degrees its adherents were distinguished not by the spirit of the Gospel, but by the shibboleth of dogma, interested motives made more converts than sincere conviction, Rome spread its hierarchical net farther and farther, and the general abuse of the Gospel doctrines soon reached those in which mention is made of the poor. They were, indeed, in themselves liable enough to be misinterpreted. Such words as "Inasmuch as ye did it unto the least of these ye did it unto me," and "It is easier for a camel to go through the eye of a needle

than for a rich man to enter into the kingdom of heaven," were easily liable to be turned into commands, the bare external performance of which would bring a reward.

The practice of almsgiving seemed to give the rich man an easy way to atone for his sins and win the favour of God, while its imposition as a penance was a powerful corrective in the hands of the priesthood; who, on the other hand, were glad to have at their disposal the means of punishing or rewarding a multitude of dependents. Thus it was that the Christian practice of poor relief became more and more like that of Islám, and a ruinous course was entered upon which turned comfort into destitution, and where it found destitution made it twofold.

It was found sometimes that the various motives of zeal, hypocrisy, and religious fears, failed to supply the ever-increasing demand. The Council at Tours of the year 567, shows us some of the expedients to which the Church had recourse in the Frankish kingdom. The third part of the tithes at first, and then the fourth, the donations of almsgivers, the produce of charitable foundations, were all bestowed on the same object; a zealous care of the poor was inculcated on the priests; but the demand rose in proportion to the means forthcoming to meet it. Even its civil power was strained for the same object. A resolution of the same Council enjoins "that every city should support its poor and needy, according to its means, with suitable nourishment, and that both the priests of the vicinity and individual citizens should support those connected with them."

In this same Frankish kingdom, however, we meet comparatively soon with a civil system, which was in part imposed by the State, but was in other respects a spontaneous movement. A Nimeguen Capitulary, C. IX. of 806, ordered a general attention to the wants of the poor, with a view to prevent mendicancy. Some care of the poor was incidental to the position of *comites*, and other ministers. Feudal superiors engaged at first to be answerable for their followers, and in A.D. 850 we find the general law—"unusquisque honoratus noster se suosque ex suo pascat." At a later time, all landlords were bound to provide for their dependents in case of need. A system of poor relief was also practised by the guilds, by which not only the members themselves and their families, but, in some cases, strangers also were allowed to profit.

It is a characteristic fact in English history, that although after the union of the seven kingdoms, the care of the poor was for centuries left in the hands of the Church, the duty was, nevertheless, imposed by the State. The bishop was obliged by a law of King Egbert, A.D. 827, to provide, so far as his means allowed, food and clothing for the poor and infirm who were not able to earn it by their own labour; and we here find for the first time that the title to relief is made to depend upon specific conditions. Again, though in France the Church of its own accord devoted a portion of the tithe to poor relief, in England the same course was made obligatory (law VI. of King Ethelred, A.D. 1014) on the bishop by the civil power. We are not, however, to suppose that

the Church ceased to be the voluntary medium of good works, or to stimulate the endowment of foundations for the poor, or gave up the administration of the property of charities.

We find one remarkable exception to the historical uniformity above mentioned. The oldest law-book of Iceland contains a precise and distinct system of Poor-law which survived the introduction of Christianity, and in its main features was practised in Norway and Sweden. In this the action of the Church is entirely excluded, while begging and the giving of alms to beggars are both punished with outlawry. Relief is in the first instance provided at the expense of the relations; where that source fails, recourse is had to a tithe paid by the freemen; the claim of the candidate for relief being adjudicated on by an assembly of freemen. Where it is necessary to go still farther, the poor are maintained by a system of relief from house to house, given under precise regulations, and subject to a security that the person relieved shall not become a beggar or be reduced to distress. This is the earliest known system of Poor-law in Christendom, and clear traces of it are still to be found in the laws of Sweden and Norway.

It was the natural result of the ecclesiastical method that the number of poor greatly increased. Those that gave at the Church's bidding did so, not for the sake of relieving other men's wants, but in order that they might themselves grow in grace; the wish of the Church has always been to be alone rich amid a multitude of poor. What must have been the effect upon all feelings of inde-

pendence and self-reliance when the voice of the beggar was held to convey an invitation to deeds of sanctity, and begging itself was regarded as a meritorious work?

The mischiefs resulting from the method we have described led to the second stage, the characteristic of which is that measures of police are taken against begging. It was natural that this policy should be chiefly pursued in those countries where the Reformation was most successful. Violent measures were adopted, indeed the safety of the State demanded that the ruinous practices we have described should be thoroughly rooted out; nor was this policy confined to Protestant countries. Not that the mere suppression of begging was held to be sufficient; attempts were made to compel the able-bodied poor to work, while provision of some kind was made for the helpless, or they were even suffered to beg. Still the general characteristic of the stage with which we are concerned is the number of measures taken with the mere object of repression.

Setting aside the peculiar course which things took in Scandinavia, it is in England that the last of the three stages mentioned above first shows itself. Long before the time of Elizabeth we find mention made in the English legislation of the pauper's dwelling place, as the place where he was to be relieved. The poor man was in fact bound to his dwelling place, and held to agricul tural labour at a low rate of remuneration. A statute of Richard II., in the year 1388, distinguishes between those able and those unable to work. The latter are allowed to beg within certain limits, the former are com-

pelled to work, but in their own parish. A century and a half later, in 27 Henry VIII., c. 25 (1536), we find a parochial organization provided for the relief of the helpless poor: independent alms are forbidden, and boxes are to be set up under the superintendence of the churchwardens. Any surplus from these boxes is given to other parishes of the hundred; if, on the other hand, sufficient funds are not forthcoming, the helpless pauper may receive a certificate from the justices authorizing him to beg.

The church boxes were filled at first by voluntary contributions. But a policy of compulsion was by degrees introduced, until at last under Elizabeth (1572) a local poor rate was established. This compulsion is not the logical result of a want of means for supporting the helpless poor; but is attributable to the fact that those able to work were so numerous that their case could not be efficaciously dealt with by the repressive policy employed to meet it, and recourse was had on their account also to the church boxes. The great object was to keep their numbers down. Warning and punishment of all kinds were employed with this view. Branding, bond-service, death itself were the penalties for refusing to work. Finally, in the year 1601 the celebrated Act of Elizabeth imposed on the parish the obligation of setting the able-bodied poor to work. The third stage in which the care of the poor is regulated in a systematic manner, and made the business of civic society, was reached in England much sooner than elsewhere, perhaps because a check was sooner put in that country to the indiscrimi-

nate method employed by the Church. But the sequel of the English Poor Law will be described in a separate essay, where the unsatisfactory results of Acts based on the principle of obliging the parish to support the able-bodied poor will also be shown.

In France, as in England, the first measures directed against the increase of pauperism, which had grown to a plague through the excessive almsgiving of the Church, were those of prohibitions and penalties, among which latter, banishment figured conspicuously. It is true that a distinction was made between the able-bodied and the helpless poor, alms to the former being prohibited in 1350, but so long as the only use made of the distinction was to allow begging in the one case and to prohibit it in the other, while at the same time the lavish expenditure of the Church continued unchecked, no good result could be obtained.

It is true that in France also at an earlier period, that is in 1536, under Francis I., the communes were called upon to support the helpless poor. But this was only a makeshift to which they were driven by the spread of pauperism through the profuse charities of the Church. We may observe, however, that whilst a policy of repression was pursued with vigour, as though that were the main object, anything done by way of organizing poor-relief was treated as a casual expedient, to be submitted to because it had become unavoidable. The Ordinance of Moulin in 1561 empowers the commune to levy rates; but the growing evil cannot be subdued even by these means. Renewed recourse is continually had to repres-

sive police measures. It is only in 1662, by an Ordinance of Louis XIV., that we find the relief of the poor made the subject of a formal and systematic organization, while this the third stage of poor relief had been reached in England a century earlier. By a law of that date, while the duty of relief incumbent on the commune is confirmed, lists of the poor are ordered to be kept, and a distinction is made between in-door relief, in alms-houses and hospitals, and out-door relief.

The expense of relief is to be defrayed, if necessary, by means of local taxes, and fresh punishments are enacted against begging, and the notoriously inefficacious prohibition to give alms is added, while special asylums are established for beggars. We must again refer to the special essay for a further account of the course which events took in France in connection with our subject.

The epoch of regular organization just spoken of occurred in Germany later than in either France or England. During nearly the whole of the Middle Ages the care of the poor remained, as in France, in the hands of the Church, assisted by the machinery provided by the feudal system, as long as it existed, of the landlords and the guilds. But the habit of indiscriminate relief lasted longer than in France, and legislation was confined for a longer time to mere prohibition of begging. The Imperial laws were full of such prohibitions. We may refer to an enactment of the Diet of Lindau of the year 1497, which makes the permission to beg dependent on specific conditions, as also to the 39th article in the code of criminal procedure for Germany of Charles V. (1532), in

which the authorities are charged to keep a diligent watch on beggars and vagabonds, and to Title 27 ("on beggars and loiterers") of the Imperial police enactment of the year 1577; where, it may be observed, mention is already made of the duty of the communes to support their poor and their right to keep strangers away, of maintenance of existing hospitals, &c.; finally, to an Imperial charter of the 16th of August, 1731, forbidding wandering apprentices to beg before the doors. Similar prohibitions and penalties are to be found, as a matter of course, in the laws of separate States. The police displayed a particular zeal in sending foreign, not to say native, beggars over the borders; a performance which in territories of such small average extent was as easy as it was inefficacious. A glance at any trustworthy history of the home affairs of Germany during the preceding century will show that all these attempts at repression nowhere and never subdued the evil. We are informed on the contrary,[1] that up to the very end of the century, in spite of public and private measures, unabashed mendicancy was everywhere to be met with. Here and there, indeed, necessity gradually rendered recourse to method and principle unavoidable, and hence the duty of relief, the distinctive treatment of the robust and the infirm poor, the means of defraying necessary expenses, have all been made the subject of specific regulations; but, at the same time, the systems applied in different States and in the same State at

[1] K. Biedermann's Germany in the 18th Century. Leipzig, J. J. Weber, 1854, vol. i. p. 401.

different times, have presented so great a variety, that although we find ample occasion to admire the resources of human ingenuity, we discover no signs of a definite agreement on the questions at issue.

Had not the Reformation in Germany been the signal for repeated wars, had it not been accompanied by a decay of political capacity and of those feelings which bind one citizen to another, we might reasonably have expected that it would have given rise to a more rational policy in connection with our subject; at least, in those territories where it at once secured a permanent footing, and in which the very want of means seemed to be a security against the extravagance previously practised. But, in fact, for a long time the Protestant authorities were not more prudent than their predecessors, where valuable property of the Church and for the benefit of the poor remained, and wherever the care of the poor was still in ecclesiastical hands, the only alteration in the way in which it was conducted arose from the fact that the Church had less abundant means at its disposal. But this fact alone may be considered a great gain, for abundance of means is the greatest danger of all in the relief of the poor.

II. The Present State of Poor Relief.

The subject of the special treatises contained in this volume is the public relief of the poor, such relief, that is, as is either expressly enjoined by law, or is carried on under the supervision of the State, or the Church, or of

some political organ forming part of the machinery of Government. No notice is taken of the efforts of mere individuals, or of private associations, whose operations are not subject to direct legal influence; nor, for the most part, of loan offices, savings banks, and similar provident institutions founded or encouraged by the Government for the purpose of providing persons for the time well off with the means of maintaining themselves in the event of temporary embarrassment, or of putting them in a position to protect themselves from impoverishment. Small notice is taken of Government asylums for the infirm or insane, still less of assurance offices, friendly societies, &c., the use of which is to assist those who have recourse to them to husband their own means.

The present sketch is in the same manner confined to public institutions.

(*a*) No notice is taken in the following pages of countries entirely without Poor Laws. It may be confidently assumed that no country in Europe is in this extreme case. There are, however, not a few States in which the existing laws have not been put in a regularly codified form. I may instance Hanover, Hesse (the late electorate), the city of Frankfort-on-the-Main, Mecklenburgh, Brunswick, the three Hanse Towns, at least in the country districts, Wurtemburg, Baden, Hesse-Darmstadt, Austria, Russia, and some Swiss cantons.

(*b*) It is by no means the case that in all systems of law relating to the poor precise data are laid down as to the degree of want entitling a man to relief. One result of this is to diminish the value of statistical intelligence;

a more sensible mischief is the difficulty of practically administering the law. The defect itself is chiefly to be met with in countries unprovided with a comprehensive poor legislation, like those mentioned above; a deficiency which is, however, often more or less supplied by local regulations. But the evil is not confined to these countries; England and France and some other States, although in possession of codified Poor Laws, fail to lay down a precise definition of the degree of poverty entitling to relief.

(*c*) It is difficult to determine which the systems are in which the poor have had conferred upon them a claim to public support as a matter of positive right; for even where they are expressly debarred from enforcing their demand by a civil action, still, as a rule, there exist certain functionaries on whom the law of the land imposes the duty of maintaining them; and there must be some right corresponding to this duty, whatever may be the method of enforcing it. I shall discuss further on the considerations of policy belonging to this part of the subject. As a fact we know that a direct claim to relief is expressly conferred by the English law and withheld by the French; the French example being in this respect followed by recent legislation in Norway (law of 1863). Only as regards deranged persons and foundling children obligations are imposed by French law. It is a characteristic circumstance that the most numerous and minute regulations in the French code are those relating to the procedure of relief; while, in England, they are those which determine questions of claim and obligation. In

this respect the laws of the free towns in Germany resemble the French system, those of the middle and larger German States being more like the English. Few, however, of the German systems of law confer an express legal claim to relief. In most of them the question is treated with a certain degree of wariness; and, in the application of the law, the duty imposed on the communes is held to be owed to the State and not to the poor themselves; though, to a superficial judge, the distinction may not appear a real one. Of all German systems the one most expressly favourable to the poor in this respect is that of Mecklenburg: the other extreme is to be found in a scheme proposed to be adopted in Baden; and in the Bavarian law, of 17th Nov., 1816; and nowhere is the claim to support so clearly excluded as in those two countries. A legal claim to relief is conferred by the law of Sweden on particular classes of helpless poor, but it is questionable whether it could be enforced by application to a court of justice.

(*d*) Perhaps the most difficult part of the whole subject is the question what circumstantial conditions give rise to a claim to relief, or, where no such claim is expressly conceded, to an obligation on the poor-law officers to relieve. These conditions turn upon the circumstances of the applicant, and the question amounts to this: Who is entitled to relief, and who is bound to relieve, in a given case? Accumulated legal experience, and the different views of different legislators, have given rise to a great variety of provisions on this head. There are only a few isolated hints of agreement. Mere stay in a

place, however long, or the fact of being a natural-born subject, is never enough to ground a claim. Nor does the duty of relief ever fall, in the first instance, on the agents of the central government, or constitute a charge on the public treasury.

Sometimes birth, sometimes the possession of a fixed abode, sometimes mere citizenship or townsmanship, confers a title to relief; and the expense is borne by the commune where the applicant was born, the commune in which he resides, or the parish fund; further recourse being sometimes allowed, if necessary, to the circle, the province, or the State itself.

In most systems relief is only given by the public authorities, when it cannot be obtained at the hands of friends or relations; often, in fact, a man is only reckoned poor upon its appearing that this source of assistance is not open to him. Generally, certain persons are pointed out by the law on whom the duty of relief and maintenance falls, in the first instance, and it is only when this resource fails that any right to public assistance arises.

Few States have made any express provision for the relief of foreign poor, saving in case of illness. We must, however, except England, Belgium (Law of the 18th Feb., 1845), and Schleswig-Holstein (Poor Law of the 29th of Dec., 1841).

The following particulars illustrate some of the most striking peculiarities in the systems of different countries, in respect of those conditions of relief which depend on the circumstances of the applicant.

In England the law gives any destitute person a claim to be relieved at the expense of the parish, or union, in which he has a settlement. Settlement is acquired by birth, parentage, marriage, apprenticeship, and forty days' residence, the possession of an estate, renting a tenement and forty days' residence joined to the payment of poor-rates; lastly, by being charged to and paying the regular local taxes. Residence entitling to support without settlement is also acquired by three years' stay.[1] Persons who fall into want within a district on which they have no regular claim, still receive there a certain qualified relief (under the head of settled poor—irremovable poor—casual poor).

By the law of the Netherlands a title to relief is acquired in the first instance by birth; secondly, by the fact of having inhabited the same place, uninterruptedly, for six years. A man who becomes destitute in a place where he has neither of the above titles, is chargeable to the commune of his birth.

In Sweden such title as the law allows, is conferred by inhabitancy in the parish or town; provided the applicant, being above forty-five years of age, has been entered on the list of taxpayers. In Norway the right, as far as one can speak of right in that country, is acquired by a residence of two years. In Denmark the requisite period of residence is five years.

By the Prussian Poor Law of 1842, the duty of relief falls upon the commune of which the person applying was expressly admitted a member, or in which he has acquired

[1] By 28 and 29 Vict., c. 79, s. 8, this is reduced to one year.—(*Tr.*)

a regular abode which he has occupied for a year; or, finally, in which he has been living for three years after reaching full age.

In Schleswig-Holstein the right to relief in a commune is acquired by birth; also by fifteen years' regular residence after reaching the age of eighteen. The latter mode of acquisition is open to foreigners, provided they were originally authorized to settle in the country.

By the law of Nassau a man must be a citizen or free commoner. In Baden he must be a citizen, or endowed with such inchoate civic rights as are to be acquired by birth, though not as yet fully entered upon, or a freeholder. In Hanover, except in Eastfriesland, he must belong to the commune, or have by some means or other acquired a settlement there. In Eastfriesland he must, as an additional qualification, have a dwelling-place in the parish. In Saxony a settlement may be acquired by birth, by express gift, or by purchase of a house and five years' residence; in Oldenburg by three years' residence in the commune, provided the other conditions be also fulfilled. In the three free towns a title is dependent on citizenship, and was, consequently, until a short time ago, very difficult of acquisition. In Austria relief is given to citizens, also to those persons who, without being citizens, have equally become members of the commune, by birth or express admission.

One strongly marked feature of the system of Poor Law in use in England, France, Belgium, Prussia, Bavaria, and Saxony, is the Poor Law Unions.

These institutions extend their operations over several

communes at once; they act on some occasions in the first instance, on others they supplement the operations of particular communes which happen to be overburdened.

The English law allows unions, that is, combinations of several parishes, to carry on the business of relief so as to supersede the constituent parishes, subject to inspection, and this method is constantly resorted to in order to carry out objects which are beyond the strength of the smaller bodies. In France and Belgium some of the expenses of poor relief are borne by the departments and provinces, in those cases only in which the communes are not able to command the requisite means, while others are charged upon them in the first instance. As an example of the former class, in which the departments discharge a subsidiary function, we may mention the cost of maintenance in the so-called Dépôts de Mendicité. To the latter belongs the expense of lunatic asylums and foundling hospitals.

The unions existing in Prussia in like manner discharge functions which are partly subsidiary and partly original. As a matter of course, it is their duty to attend to the wants of such poor as are actually within their boundaries, without having a claim on any one of the local districts. Besides that they have to repay to such districts any expense they may have incurred in the support of strange poor. Finally, they come to the assistance of a district which happens to be without the means of relieving its own poor.

In Bavaria there are two divisions superior to the commune—the district and the circle. It is the business

of both alike to provide certain appliances which are destined to embrace more than merely local objects, and to maintain which would tax too severely the resources of smaller communities; I mean, hospitals, lunatic asylums, and workhouses. Moreover, the circle comes to the relief of the district when the latter is overburdened with demands.

In Saxony for various groups of local districts, the law creates unions, and similar comparatively central institutions which serve only to organize such measures of Poor relief as it would be beyond the power of separate communities to set on foot or to sustain.

There are some countries in which we find no bodies occupying the intermediate position above described, either from the fact that owing to the small extent of their territory, the want is not felt, or from a general desire of centralization. In these the State aids in establishing and administering only those institutions for the poor which are not merely local, and lends its assistance only when the localities cannot accomplish the object in view. In general, however, the right of legislating on matters connected with the poor, and of exercising supervision over the manner in which the existing laws are administered, is an attribute of the State; which, moreover, in most countries, undertakes the business of relief in the first instance, in certain specified cases, as, for example, that of foreigners.

There is no other country in Europe besides England in which the administration of the Poor Law has been centralized to the extent of establishing a single body—

the Poor Law Commissioners, Poor Law[1] Board—empowered to issue general orders and exercise inspection.

(*e.*) In many countries relief, though regulated by the law of the land, is carried out by ecclesiastical organs, partly because they have in their hands the management of the most essential means of subsistence available for Poor Law purposes, partly because, legally, or *de facto*, they are to a considerable extent invested with executive functions. This is the case in France, Belgium, and Italy. In other countries, ecclesiastical functionaries are legally in possession of executive powers, because it so happens that the organization now existing is a remnant of the days when the only Poor relief known was administered by the Church. In cases where the administration is thus mixed up with the ecclesiastical system, the connection may be close or otherwise. In Bremen and Eastfriesland it is a slight connection. In a third group of States, the care of the poor is in the hands of the Church, but organized by the law of the land. In these cases the operations of the Church may exclude all others, or may be carried on by the side of a civil system. In Holland, for instance, in most communes, there is none but Church agency. In a few the ecclesiastical and civil authorities act side by side, and the limits of their respective rights are laid down with considerable minuteness. In Bernburg, in Anhalt, a strict ecclesiastical poor relief exists in alliance with a municipal one.

In most countries, the Church enjoins upon its officers the duty of caring for the poor, and the civil power allows

[1] Now called Local Board.

the Church to take what measures it pleases with that object, in addition to its own provisions. At the same time, when the civil system is strenuously carried out, there is but little left for the Church to do beyond what is incidental to the care of souls.

(*f.*) It rarely happens that laws on the subject of the poor contain any provisions the tendency of which is to repress, encourage, or regulate the exertions of private persons. A scheme of Poor Law for Baden, which will be analyzed in the sequel, takes this point into particular consideration. In the Bavarian order of 1816, we find (Art. 24.) the following remarkable provision: *Public measures in behalf of the poor do not exclude the free exercise of benevolence between man and man; at the same time such benevolence must not be allowed to interfere with the general obligations incumbent upon all alike towards the Poor Law institutions, the communes, and the districts, nor to contravene the policy of the enactments relating to begging.*

Probably there is no country in Europe where the law puts any limit to the creation of charitable foundations, except it be to the extent of requiring the consent of the State at the discretion of the proper officer.[1]

(*g.*) With regard to the means of defraying the expense of poor relief, the produce of charitable foundations can of course be always applied to that object. Indeed, this source of supply is in many places so abundant as to

[1] By 9 Geo. II., c. 36, testamentary dispositions by which land is affected with a charitable trust are void. This Act is still in force, though more or less modified by subsequent legislation.—(*Tr.*)

inspire a degree of confidence in its indefinite continuance which is rather to be regretted. When we compare the means prescribed by different legislatures for meeting the expenses which this source is insufficient to defray, we find the same variations as in the treatment of so many other questions. The following are examples of the methods employed :—

1. Special local taxation. 2. The application of levies appropriated to Poor Law purposes, but not made directly with that object. 3. Appropriations of a portion of the national taxes. 4. Semi-voluntary taxation. 5. Wholly voluntary contribution; to which might be added— 6. Voluntary contribution supplemented if necessary by the State. Examples of the use of these methods may be stated as follows :—

(1) is employed in England.

(3) in Bavaria and Hanover.

(4) in Bremen.

(5) in Holland, Hamburg,[1] and Lubeck.

In Prussia, France, Belgium, Nassau, and Brunswick we find both (2) and (3) : in the Scandinavian States, the Elbe Duchies and Oldenburg we find (1) and (2) : in Electoral Hesse (1) and (3) : in Saxony (1), (2), and (3) : and in Hesse Darmstadt (1), (2), (3), and (5).

(*h.*) One rule is almost universal, that any relief given to the poor is regarded as a loan, which the recipient is bound to restore, if he should afterwards be in a position to do so. Where able-bodied poor are provided with work and pay, the value of the relief they have received is

[1] Here the expenses are chiefly defrayed by the State.

sometimes deducted from their wages. In some places the Poor Law authorities have by law a more or less extensive claim on the assets of the pauper on his death. The latest piece of poor legislation—the Bavarian law of 29th April, 1869—goes into this point with particular minuteness.

(*j.*) The administration of the Poor Law is almost everywhere placed, in the first instance, in the hands of commissions, whether nominated or elected, paid or unpaid. Most systems lay down the precise sphere and qualifications of these commissions under the names of poor commissions, poor-law guardians, deaconries, poor managers, poor deputations, bureaux, administrations; often particular classes of persons are specified, such as local officers, clergymen, physicians, who are obliged to serve on the commissions; minute rules are frequently laid down for the procedure at elections, the duration of office, the form of proceedings. An organization of such a centralized character as the one gradually formed by the English legislation is nowhere else to be found; the central authority established in Norway, in the year 1866, does not so much govern as register observations.

(*k.*) Prohibitions against begging are probably universal throughout Europe, though the punishments prescribed vary considerably. The results obtained vary also, depending, as they do, not so much on the degree of severity with which the prohibitions are put in force, as on the degree of wisdom applied to the organization of the whole system, as well as on the economical and educational condition of the country generally. The

French and Belgian Dépôts de Mendicité and the Dutch Beggar Colonies are to be met with in no other country.

With regard to the actual practice of Poor relief, the various institutions and arrangements employed in connection with it, and the principles by which maintenance of the poor is regulated, historical causes and the accidental needs of different localities have produced in all these particulars so great a variety, that it is impossible to present any description of their general features. In one place we find a strict attention to forms and an elaborate classification of means to be employed, in another free discretion or absolute caprice. When we remember the French and Belgian bureaux de bienfaisance, hospices, hôpitaux, dépôts de mendicité, the English in-door and out-door relief, the Dutch so-called God's houses, beggar colonies and houses of rescue, the Prussian close and open relief, the Bremen division into permanent paupers, casual paupers and "Bogenarme" or registered poor, the Saxon poor-houses, the absence in most German states and Swiss cantons of all definite and stable arrangements whatever, we need no more to convince us that as far as the actual business of relief is concerned, which is perhaps the most important part of the subject, we can scarcely speak of anything like generally prevailing views. Such an expression can at the utmost only be applied to one generally entertained opinion—namely, this, that the economical disease called poverty is nothing simple or uniform in its nature, but rather is so complicated, and occurs under so many

distinct forms, that it cannot be treated with one universal remedy, but requires a wide variety of specific applications.

III. Theoretical Principles.

We have as yet no statistics to guide us in the attempt to sketch Poor Law as it ought to be. It may, however, be asked of what use the fullest statistics could be to us, except to show which is the best among existing systems. Does it follow that the best existing system is the best possible? I am very much of opinion that if we had before us the most complete possible statistics, we could more usefully learn from them what ought to be absolutely rejected, than what system can be shown to be, comparatively speaking, the most worthy of approval.

In the following observations, I shall give up as hopeless the idea of deriving assistance from statistical reasoning, positive or negative, and endeavour to convey, in a cursory sketch, my own conviction as to what kind of Poor Law arrangements are in keeping with sound theory, and in so doing I advance nothing as incontestable, but at the same time it is satisfactory to me that I know perfectly the grounds on which I rest my assertions.

Let it be ever so much a matter of public interest that a particular office should be discharged, it is still no part of the right or duty of the State to undertake it, so long as experience shows that Government agency is not the most capable of carrying it out successfully. Poor relief is, in fact, in this position; it requires to be administered

with especial reference to the circumstances of each individual case, and its results are always the more favourable the more the persons really interested take part in its operations. By the persons really interested, I mean those who suffer by the poverty of their neighbours.

At the same time, the civil power cannot yet withdraw from the obligation of legislating to some extent on the subject of the poor; the interest of the community in general requires this even more than that of the poor themselves. The object of such legislation should be to prevent the spread of the evil, promoted as it is not only by mere neglect, but by provision being made on an extravagant scale, and without attention to sound principles. Security ought to be afforded, that where persons in distress cannot rely on the unsolicited aid of their neighbours, some legal agency should be forthcoming to supply the deficiency; and further provision should be made that purely voluntary exertions, which are not confined to the exercise of private charity, should not take a course calculated to aggravate the evil rather than to lead to its gradual extirpation. The State cannot but furnish the requisite means for forcibly putting down begging;[1] it should also take measures that wisely managed institutions should be provided, though not at its own expense [or necessarily under its own officers, but

[1] Even though the means employed should neither be the only possible ones nor the most efficacious. The only real remedy is to be found in associations for the education of givers rather than receivers of alms.

at that, let us say, of the districts most nearly concerned], where those helpless persons may be supported who do not stand in need of any minute attention bestowed on their particular case, but can be most effectually provided for by joint treatment on an extended scale. Such institutions are county or district hospitals, lnuatic asylums, lying-in hospitals, &c. Lastly, attention must be paid to the matter of charitable foundations for the relief of the poor; no legal status should be allowed to such of these as are at all calculated to be an obstacle to the diminution of distress; and the law must persistently compel the managers of such foundations to observe those principles which can only be neglected at the risk of aggravating rather than checking or extinguishing the evil.

The practice of giving the poor a right which can be enforced by application to a court of justice, or a claim to support that may be constitutionally prosecuted, is an unmitigated evil. Voluntary relief, or relief given subject to legal conditions, is always to be looked upon as a boon given not to the poor person, but to the community.

Private charity, however organized, cannot be held sufficient; there should always be some supplementary system introduced upon terms laid down by law, unless the private organization itself, in the first place, embrace a district, such as that of the commune or parish, at least as wide as that which would form the basis of operations under the other system; and, in the second place, be ready to entertain the case of all persons whatsoever who, within those limits, are in such destitution that, without

assistance, they must, as far as can be foreseen, perish; irrespective of the question whether their presence be permanent or casual, or whether they have any settlement, right of habitation, or similar title to relief.

A similar remark may be made about the other system of relief—namely, that which is established under legal control where no voluntary system is existing, or none at least which is properly organized or embraces a sufficiently wide field of operations. Such a system should equally deal with the case of all poor within its limits, no matter whether they are permanently or casually on the spot, or what their title to relief may be.

Nationality alone should be a condition precedent of relief, unless reciprocity treaties allow even this to be dispensed with. If the principle of abolishing all minor conditions were to be applied with absolute strictness over a territory of some extent, it would soon be seen that there is nothing monstrous about it. The principle is, in fact, in force already, and it has not been observed that people take up their residence anywhere with the peculiar view of obtaining support in that particular place if they should come to be in want, unless that view be one of being able to lead there a life of complete indolence and luxury.

It is true that when relief is given to a stranger the rule has been that the district giving it can demand to be repaid the cost. On the other hand, in the converse case, it is itself liable to a similar demand. The impossibility of determining what length of residence shall confer a settlement, the danger of making it too long, the

objection to making it too short—these are matters on which everybody's mind is made up. The correspondence, trials, and expense occasioned by the prosecution of a claim made by one district on another for the relief of a stranger pauper are, for the most part, out of all proportion to the object aimed at.

There can be no doubt that the civil territorial division is always the one best adapted for that system of poor-relief which is to be organized under legal control, but the law should rather promote than obstruct the combination of several districts for these purposes. The expense of relief should never be defrayed by means of a special tax, but, in default of charitable endowments for this express object, voluntary contributions should be collected where temporary assistance only is required, whilst establishments for persons permanently incapable of earning their living, for persons afflicted with incurable disease, and similar cases, ought to be supported out of the general district funds, and to these every one would have to contribute, if possible, from the commencement of his residence. A poor-tax and a legal right to relief must always go together. Where no such right exists, that amounts to this—that no one can claim support beyond what can be afforded out of voluntary donations already received.

The legal definition of poverty should be laid down by statute. As a matter of course, no one is to be called poor who can obtain relief from persons legally bound to give it. In a State which recognizes no settlements and puts no restriction on employment, the able-bodied poor

are not a fit subject for poor legislation. Some of them can be dealt with by the police authorities, the rest can be left to the spontaneous care of the agents of voluntary or legally constituted poor-relief; both these classes of persons will find it in their own interest to take measures that by a timely application of means at their command, in the case of those able-bodied applicants who find themselves accidentally out of work, no extraordinary demands may be made upon their funds. The agents of legal relief should in this respect be allowed the fullest possible discretion.

With regard to the administration of legal as of voluntary relief, so far, in the case of the latter, as it is to be looked upon as capable of supplying the place of the former, the various agents ought certainly to be allowed full discretion, but the character and the circumstances of each individual applicant should be inquired into in a precise and conscientious manner, and that kind of assistance should be always most scrupulously selected which is best adapted for the particular case under consideration. In the case of legal as of organized voluntary relief, it should be admissible to combine together a number of the smaller districts, such as single parishes; but there should be some security that such aggregations should not be so large as to admit of the ordinary duties of poor-relief being lost sight of. Independent societies, whose objects fully correspond with those of existing legal institutions, or of institutions organized upon a thoroughly legal footing, should be allowed to continue their operations only in concert with those agencies. The Church itself should be put upon

the same footing whenever it exercises poor relief without doing so on such a comprehensive scale as to make all legal organization or intervention superfluous, without, for instance, making relief independent of religious conformity.

CHAPTER II.

THE KINGDOM OF PRUSSIA.

THE SIX EASTERN AND OLD PROVINCES, AND RHINELAND AND WESTPHALIA.

[By ERNST BRUCH, of Berlin.]

HISTORY OF POOR LEGISLATION.

(*a.*) We will begin with the consideration of legislation previous to the National Code. So long as the feudal relation was the foundation of the State, there could be no such thing in Germany as a system of poor-relief as we understand the expression. It was part of the very essence of villenage that the lord should provide for his impoverished dependents. As this system was finally abandoned only at the beginning of the present century, the older ordinances and edicts proceed altogether on that basis. But it is interesting to find in Prussian legislation, long before that epoch, some tokens of a more systematic poor-relief.

An ordinance of Nov. 18th, 1684, only laid down in general terms that every commune should, as far as possible, provide for its own poor. This was followed on the 10th of April, 1696, by an edict of the Elector, Frederick III., the chief purport of which was to secure unconditional admission to refugees from France and the

Palatinate, and to all those whom war or religious persecution had driven from their homes, while gipsies and beggars were not allowed to cross the frontiers; but which at the same time ordered that the judicial authorities of each district should provide for beggars born within their limits. Should this be a greater burden than the locality could bear, unions were ordered to be formed, so that different districts should be obliged to provide for their poor in common. Ordinances issued on the 18th March, 1701, and the 19th of September, 1708, enlarge and define the obligation of relief and the procedure to be followed. The able-bodied poor were to be set at work, alms were to be given to those only partially able to support themselves, while such as were absolutely incapable of work were to be provided with lodging and general relief in poor-houses, orphan asylums, and hospitals. The rule was laid down for the benefit of these last institutions in particular, that in case of need different independent places and districts should combine. In towns the acquisition of civic rights, admission into a guild, or residence for ten years, gave a claim to support. If voluntary donations were insufficient for purposes of relief, the law went so far as to invest the magistrates with the right, subject to certain conditions and regulations, of assessing and levying contributions in proportion to the means of the contributories. Under Frederick the Great a more detailed system of public relief was introduced. An edict of the 28th of April, 1748, declaring how the real poor should be provided for, and wilful beggars punished and kept at work, while in general no

beggars should be tolerated, ordered that funds for the poor should be everywhere established, increased the severity to be used towards idlers and vagabonds, and laid down that foreign beggars should be banished from the country, natural subjects being sent to their own district, that is, to the locality in which they were born, or had resided, or maintained themselves for the last three years.

At the end of the last century, the larger unions for different provinces and classes were established for the care of the poor of the district, with a subsidiary duty of lightening the burdens of individual communes and completing their task. These have, in fact, with some modifications which have not affected their local limits or their organisation, become the so-called "Land-poor-unions" of the present day.

One of the oldest and most important of the regulations by which such unions were established is the order as to paupers and invalids for the Kurmark in Brandenburg (exclusive of Berlin and Potsdam) issued on the 16th of June, 1797. One of the weightiest obligations imposed on this and other Land-poor-unions, was that of the care of the poor in locked-up institutions, and the establishment of houses of correction and compulsory labour, an obligation imposed on the perfectly sound ground that such establishments are most successful when they embrace a somewhat wide field of operations, while their expense is, under the same circumstances, considerably diminished.

Besides the above-mentioned order, another of those then issued is still in force, namely, that for Pomerania

and West Prussia. The rest have been supplemented and superseded by new enactments.

(*b.*) We now come to the principles of the National Code (Landrecht). Setting aside these Poor Law regulations for the country, to which we shall have to return in order to describe the state of things now existing, the whole of the older legislation on the subject of the poor, including the edict of the 28th of April, 1748, was put an end to by the general law for the country, by which private and public duties on the subject of poor-relief were laid down in distinct terms.

As the rules with respect to private relief are still generally in force, we must reserve our exposition of them for the present. The most important regulations as to public relief, the so-called principles, occur in Title 19, Part 6, and are as follows:—

Sec. 1. It is the business of the State to take measures for the maintenance and care of those citizens who are not able to procure their own subsistence, nor to obtain it from such other private persons as especial laws oblige to afford it.

Sec. 2. Those who only want means and opportunity to earn subsistence for themselves and their families, shall have such work given them as is suited to their strength and capacity.

Sec. 3. Those who are unwilling to employ the means of earning their own subsistence, from laziness, love of loitering, or other irregular habits, shall be held to useful labour under the requisite supervision by force and punishments.

Sec. 4. Foreign beggars shall not be allowed to enter or remain in the country, and if they find their way in in spite of this prohibition, they shall be immediately expelled.

Sec. 5. Native poor shall be equally forbidden to beg, but shall be removed to the place to which they belong, and in which, according to the regulations of this Title, provision is to be made for them.

Sec. 6. It is the right and duty of the State to take measures to prevent its citizens being in a state of destitution, and to stop excessive extravagance.

Sec. 7. The State shall not tolerate practices which give encouragement to mischievous loitering, especially among the lower classes, or which interfere with the growth of industrious habits.

Sec. 8. If any foundations exist with the object of promoting and encouraging mischievous inclinations of the kind in question, it is the right of the State to put an end to them, and to apply their revenues for the good of the poor.

Sec. 10. Town and village communes are under the obligation of maintaining such of their members and inhabitants as have fallen into a state of poverty.

Sec. 14. It is the duty of heads of corporations and communes to inquire into the reason why their members have sunk into poverty, and to give timely information of the same to the authorities with a view to their relief.

Sec. 15. All poor and destitute persons whose subsistence cannot be procured in any other way are to be taken care of by the police authorities of the particular district, irrespective of rank or general judicial status.

We may plainly trace in these enactments the humane and enlightened spirit of the authors of the National Code. They still constitute the fundamental principles of the Prussian Poor Law, and neither this paragraph nor those which follow it have been repealed by any later law. Some parts of them, it must be admitted, seem to be grounded upon antiquated and impracticable economical theories, such as sec. 2, which would logically imply a socialistic right on the part of the individual to have work provided for him by the State; and there are passages which appear to lay it down as a matter of abstract principle that there is a supplementary duty incumbent on the supreme power of the State of affording support to the poor. I speak of sec. 1 and sec. 15. How little the authors of the code really entertained any such notion is apparent from the practical course actually followed in dealing with the subject, which has at no time involved any direct material intervention of the State. All that is meant to be expressed in those principles is that in connection with the poor and the administration of the Poor Law, the State ought, by means of legislative action, to assume a position of mediation, and exercise general supervision. When it is said that poor persons are to be taken care of by the police authorities, this only means that the police are to take steps for their being maintained by those on whom that duty falls, and to apply the requisite compulsory measures.

Before we enter upon the more recent Poor legislation for the whole State, some sketch should be

made of the state of the law in the Rhine Province, where the prevalent legal principles are French. The most important enactment, issued before the occupation, and afterwards put in force, is that of 27 Vendémiaire II. (15th October, 1793). By it, it was provided that the duty of poor-relief should be held to fall on the commune where the applicant was born or was married and had resided six months, or had had a fixed abode for twelve months as a registered inhabitant, or had been in service for the space of two years. Later laws prescribed that relief should be administered in each commune by a charity board of five members of the commune. The expenses, over and above the amount provided by voluntary contributions and endowments, were to be borne by the commune. A decree of 5th July, 1808, ordered that a workhouse should be established in every department at the expense of the State and of the communes for the reception of persons in want, and a decree of 19th January, 1811, ordered in like manner that there should be a foundling hospital in every district in order to receive and educate deserted children and poor orphans at the expense of the State alone. Institutions of this kind were only partially carried out in the Rhine Province, and were very soon abandoned, chiefly on account of the great expense attending them.

The Code Napoleon, being merely a code of civil law, contains no provisions on the subject of the poor.

In the comparatively unimportant parts of the kingdom, as it existed some time ago, in which neither the National Code nor French law ever became received law—as, for

instance, in New[1] Hither Pomerania and Rügen, and that part of the department of Koblenz which is on the right bank of the Rhine—in these parts, ever since their acquisition in 1815, the old provincial regulations as to poor-relief remain in force, which differ in no essential respect from those of the neighbouring territories originally forming part of the Prussian dominions.

(*c.*) We have next to consider the laws of the 31st December, 1842, and the 21st May, 1855. The first general law of poor-relief for the whole monarchy was issued on the 31st of December, 1842. Its necessity arose chiefly from the fact that the provisions of the National Code left it doubtful who was bound to relieve a poor person who, before being in need, had been in several different places. The essential provisions of this law, which are still in force, will be noticed in a subsequent section. Soon after they were promulgated, manifold dissatisfaction was expressed, in public and in the press, as to the manner of carrying them out, the chief matter of complaint being that the pressure and importunity of persons on the verge of poverty was such that the communes were unable to make sufficient head against it. These complaints were, in fact, thoroughly justified, seeing that by sec. 1, sub. 2, the mere fact of a poor person having settled in a place imposed on the local authorities the obligation of relief, and, according to the law of the same date, as to the reception of new settlers, nothing short of actual poverty took away the

[1] The northern part of Hither Pomerania, which belonged to Sweden until 1815.

right to settle, whereas a present capacity for earning, though in the face of the danger of future pauperism, gave a man a right to settle in any commune he pleased.

It is true that sec. 5 of the law was intended to counteract this mischief, by which it is provided that if the need of public relief should become apparent in the case of a person who had settled in the district less than a year before, and the commune should prove that his poverty had, in fact, commenced before his arrival there, the poor person should be turned over to the commune where he had previously resided; nevertheless, it was manifest that this enactment afforded no sufficient security that those places should not be overburdened with demands, from which persons falling into a state of poverty had special hopes of advantageous treatment, seeing that it would, in most cases, be impossible for the district to which the pauper had betaken himself to adduce the proof in question as to the commencement of his poverty before residence.

A remedy for this state of things was provided by a law of the 21st of May, 1855, which was intended to supply the defects in the law of 1842, as to the obligation of relief without interfering with the principle of the liberty of free migration, which was strenuously desired and advocated in the Conservative press as well as by the extreme party in both Houses of the Diet.

It was laid down by this law as a general principle of legislation, that the settlement of a poor person should continue to be determined by the place he had come from, until a new settlement was acquired by one year's

residence in the place he had come to. Consequently, a poor person might in all cases be sent back to the place he had come from if he appeared to be in a state of poverty requiring public assistance within a year after his arrival in the place where he then was, independently of the question in which of the two places his poverty first began.

Of these movements—coming from a place and coming to a place—so far as they go on within the national territory, the former more especially concerns the country communes, the latter the town communes, as is plainly shown by the superior rate of increase of town population, especially in the larger towns, in consequence chiefly of accessions from without. The consequence was that the law last mentioned laid down principles favourable to the large towns, so far as it enabled them to deal more effectually with the imposts declared requisite to meet the increasing inroad of pauperism. That the new provision was conceived chiefly in the interest of the towns is proved by this fact, amongst others, that the period of one year is adopted from the law relating to town-communes, according to which the right of election, the right of citizenship, is itself only acquired on the expiration of one year, after which a new-comer is considered a member of the commune.

The law of 1842 contained some doubtful points which were removed by that of 1855, but the second great matter of complaint in the laws anterior to the one last mentioned was, that the different communes were given no sufficient protection against the demands of the poor.

Although the legislation of 1842 lays it down in distinct and express terms as a part of the fundamental principles of Prussian Poor Law, that a poor person has no legal claim to public provision nor any right to demand it, and that the duty of relief incumbent on the communes and unions is one owed to the State alone, and not to the poor; nevertheless, while this obligation could be enforced on the communes by the government authorities, any measures, on the other hand, to be taken for the purpose of compelling a man's kinsfolk to afford him nourishment, as well as those destined to prevent destitution, such as the punishment of persons who procured themselves a lodging by threats, and of idlers and dissolute persons, were left to the courts of justice, and would accordingly be carried out by means of a procedure at once tedious and expensive, and which, owing to the difficulty of legal proof, did not so readily lead to the desired end.

To remedy these defects, the organs of the government were endowed with superior powers for dealing with those who, as a matter of private law, were under the obligation of providing support, while the communes as well as the government were empowered to send idle persons to establishments for compulsory labour in order to hold them to the performance of their duties towards those whom they were bound to support.

Poor Law in Prussia according to the Present System.

(*a.*) With regard to the obligations of private individuals, the National Code imposes an absolute duty of support and nourishment on the nearest relations as far as the degree of brother. The different classes may be arranged for the present purpose in the following order :—

1. Husbands and wives.
2. Children and descendants.
3. Parents.
4. Brothers and sisters.

The law only applies to classes (2), (3), or (4), in case of the absence of any preceding class, by analogy to the law of intestate succession. If any question arises as to the positive capacity to give support, it is a matter for judicial decision. Between husband and wife the duty of support is subject to no exception whatever; and it is not always extinguished by divorce. A man is obliged to provide for the mother of his illegitimate children during her confinement. Children are bound to support their parents in case of need, providing them with a decent maintenance if they are in want through no fault of their own, and in any case with necessaries. Illegitimate children are bound in like manner, as a matter of absolute duty, only towards their mother; in the case of the father, it depends upon their eventual right of succession. Adopted children or foster children are no more under obligation towards those to whom they stand

in either of those relations than children-in-law to their parents-in-law. Remote descendants precede parents in this liability. Both parents are bound to give their children support and education suitable to their rank of life; at the same time the duty falls more especially on the father. This obligation is not extinguished by divorce of the parents. When the paternal authority is at an end, the duty of parents towards their children is the same as that of children towards their parents. The business of providing for an illegitimate child falls originally on the father, in default on the mother, but when such a child is more than 14 years old the mother is liable in the first instance. Adopted children are supported by their adoptive parents, foster-children by their foster-parents; parents-in-law, like children-in-law, are not, as such, under any obligation. The duty of grandfathers and grandmothers is the same as that of parents, except in the case of the paternal grandfather or grandmother of an illegitimate child. The parents of an adoptive parent are under no obligation.

Brothers and sisters, whether of the whole or the half-blood, are bound to support each other. Collateral relations more remote than brothers and sisters are not bound. If, however, on being expressly called upon to afford relief they omit to do so, they forfeit their right of succession, which devolves upon the relation who affords relief.

According to the common law in force in some parts of the kingdom, the obligation of relief does not extend to the brothers and sisters. The Rhenish-French law, on

the contrary, extends this obligation even to parents-in-law and children-in-law.

Masters are only obliged to support servants in case of sickness. The time during which support is to be given is the period for which the contract of service was made, except where the sickness was incurred in the discharge of a dangerous commission, or one imposed through some oversight on the part of the master, in which case it is prolonged beyond that period. Indemnification out of the wages or other property of the servant, or from his relations bound by law to contribute, can only be demanded when the sickness was not contracted in the service of the employer.

The limits of the duty of relief on the part of charitable foundations and corporations are determined by the particular statutes of each body.

Substantially endowed churches are under the special obligation of providing their patrons, out of their funds, with the necessaries of life, if the patrons should be in a state of poverty.

(*b.*) *Obligation of the Commune.*—The general rule as to the obligation of relief imposed on the commune is laid down in sec. 1 of the law of 31st December, 1842, as follows :—

Sec. 1. The business of relieving a poor person when no relation, employer, charitable foundation, or other person or body is subject to the obligation, or possessed of the means of relief, shall be discharged by the commune in which the said poor person—

1. Has been expressly admitted a member; or,

2. In accordance with the law of the present day as to the admission of strangers, sec. 8, has acquired a residence[1]; or,

3. Has, after reaching full age, had his usual abode[2] during the three years immediately preceding the time when he was first in a state to need assistance.

Most treatises on the Prussian Poor Laws are content to take the text and general method of the statute just mentioned for their basis, and merely append to each paragraph the corresponding ministerial orders issued on the subject, together with the decisions and orders. Without calling in question the merit of the compilations of Mascher, Doehl, Stellter, Heckert, and others, it is still impossible not to remark that they show very small signs of a systematic treatment of the provisions of the law.

The only really comprehensive account which proceeds upon an independent system is contained in the excellent works of Von Möller on the Prussian law of towns and communes, and the law of unions in circles and provinces. This system is so simple and natural that it may reasonably be taken as a guide in the concise sketch given under the following heads:—

1. The time at which the duty of relief begins in the three cases mentioned above, respectively, is in case (1) the day on which the poor person was admitted a member; in case (2), when the applicant is a stranger, on the expiration of a year after the acquisition of residence. Should he be in a state of poverty before

[1] Wohnsitz. [2] Gewöhnlichen Aufenthalt.

that date, then the commune in which he resides is exempt from the obligation of relieving him, and the question is determined upon general principles. In case (3), in default of express admission or regular residence, a man only becomes chargeable to the commune by having had his usual abode there for three years continuously.

Should a poor person by virtue of these rules have a claim upon more than one commune at the same time, the duty falls upon the commune in which he has made his usual abode.

2. The obligation of a commune to relieve its poor is accordingly extinguished, as to (1) and (2), when the poor person after betaking himself to another commune has either been expressly admitted a member there, or has acquired a residence and continued in it for the period of one year without having fallen into a state to require assistance; as to (3), when the poor person, after reaching full age, has for the space of three years not been present within the limits of the commune.[1] Absence caused by temporary causes, as in the case of hawkers of goods, sailors, men who are discharging military service, or undergoing penal servitude, does not put an end to the obligation, but this observation does not apply to a change of abode caused by hire and service.

3. Exceptions are made to the above rules as to the constitution and extinction of settlement in the case

[1] The negation of three years' presence does not imply three years' absence.—(*Tr.*)

of relief to be given to the wife of a poor man and his legitimate or adopted children. The incidence of the obligation to relieve is determined by the settlement of the husband or father. The same rule applies even to widows, or wives who are separated from their husbands. If, however, a widow or a separated wife acquire an independent settlement, it becomes the settlement of the children also. Illegitimate children take in like manner the settlement of their mother.

4. Independently of the regular legal settlement, there exists a special claim to relief, in accordance with the rule that a commune must not allow any poor person who happens to be within its limits to be destitute of provisional assistance. It may require to be repaid the costs by the relations or the district on which the obligation falls. The police authorities must, however, immediately effect the removal of the pauper to his own district, no indemnification being due for any expense occasioned by delay in so doing. The law is the same in the case of persons who have simply fallen ill on a journey, and have thereby come to be in temporary need of assistance. In this last case the expense of medicine and necessary attendance is all that can be demanded back.

The care of the poor is to be carried out as much as possible by lodging them in public poor-houses. Large union districts in towns generally possess establishments of this kind themselves; in the country they are obliged to have recourse to the supplementary agency of the Land-poor-unions, in the use of which they have a share.

(*c.*) *Obligations of the "Land-poor-union."*

1. A duty which the Land-poor-union has to discharge as a matter of definitive obligation is that of providing for the case of all such poor as have fallen into distress within its limits without belonging to any particular district union. It has thus to take charge of persons who have especially served in the army beyond the period of compulsory service, as well as their widows and children, provided they have not acquired a poor settlement, and are receiving insufficient support from the State treasury; and also of foundling children. There is also a special case in which relief is given by the Land-poor-union. If a servant or assistant has been ill longer than three months, then, in default of persons under a private obligation to relieve, the district on whom the duty primarily falls, can call upon the Land-union to supply the cost of medical attendance and relief for so much of the period of illness as exceeds the three months.

2. Provisional relief is given by the Land-union in the following case:—If on a poor person falling ill on a journey such assistance as the emergency requires is given by one of the constituent districts, the Land-union has to furnish the expense of medical attendance, and may then claim to be indemnified by the kinsfolk or the district on whom such expense ultimately falls. If it is necessary to afford support to a poor person who is not on any journey, but is simply staying away from the district where he has a regular settlement, and it is ordered by the proper magistrate (landrath) that he be taken to the Land-poor-house, then, as before, the Land-union is bound to

render provisional assistance until the district on whom the obligation ultimately falls can be made to take up the case.

3. In addition to the above, the Land-union is bound, as a matter of general obligation, to afford the necessary assistance whenever a district does not possess the requisite means for relieving its own poor.

It is, however, open to the Land-union, in order to discharge its special obligations, to avail itself of the assistance of the local district unions within whose limits a case requiring relief has occurred, subject to the duty of giving indemnification. Conversely, it is bound, as far as space admits, to take into the Land-poor-house poor originally chargeable to the district, and the district must make good the expense.

Those Land-poor-houses belonging to Land-unions which serve for housing poor persons chargeable to the union, or referred to it by smaller country districts, may be used in addition for purposes of police as houses of detention for tramps, beggars, idlers, and women of bad character. Moreover, the greater number of these unions possess central establishments for idiots, deaf and dumb persons, &c., as well as reformatories for criminals too young to be punished in the ordinary way.

(*d.*) *As to the part taken by the State in poor-relief.*—The rules by which the intervention of the State is regulated have been already described in the history of poor legislation. No direct duty exists of affording support, but supervision and control are exercised on a very extensive scale. Independently of the general

legislative power and the right to issue regulations which the State has reserved to itself in connection with this subject, the regular police authorities, that is, the provincial governments, decide all disputes arising between different relieving bodies, nor is it material whether the parties to the dispute are a Land-union and a district, or two bodies of like degree. If in any such case the question be what body it is on whom the duty of relief falls, the decision of the provincial government may be called in question in a court of law, but it must be followed until the application is disposed of by law. Should, however, the question be whether some individual thinks he has a claim to public relief, and is therefore to be deemed a poor person, or how much the cost of relief ought to be, no application to law is allowed. Consequently, there is no such thing as an obligation of the commune towards the poor; the obligation is only to be found in the relation in which the commune stands to the State.

It does, however, come within the province of the judge to say at what precise time a case of relievable distress arose, and owing to what circumstances; and he must, as a matter of course, adjudicate upon the claims put forward in connection with any question as to the private duty of relief, if the authorities should meet with opposition to a demand by them upon the persons on whom the obligation primarily falls. In all these cases a person is only to be called poor and a subject for relief when he is physically incapable of working for his own necessary support.

Moreover, everything in the way of correction and criminal jurisdiction over persons in receipt of public relief, in a word, pauper discipline, is a matter for the intervention of the State; which has, however, transferred by law some of its authority to the communes themselves. Such intervention has been exercised very beneficially by means of the law of the 21st of May, 1855, which enables the administration, without further authority, to order confinement in a workhouse in the case of houseless poor, refractory inmates of poor establishments, as well as men who without excuse allow their wives or children to become objects of public relief.

Regular punishments are laid down by the criminal provisions of 14th April, 1851, against beggars, gamblers, drunkards, loiterers, and persons without any fixed abode. Common begging is punished by imprisonment, not exceeding six weeks; if it is repeated and accompanied with circumstances of aggravation, such as threats, the use of a false name, or false representations, the punishment may extend to three months.

The same punishment may be inflicted on vagabonds and on those persons who, from gambling, drunkenness, or loitering habits, neglect the duty of supporting those who have a claim upon them; also on paupers who refuse to do the work set them by the authorities. In all these cases the regular police authorities may, by way of extra punishment, order confinement in a workhouse, to which employment on works of public utility is held to be equivalent; but it is not to extend beyond three months.

The Cost of Poor Relief.

(*a.*) *In the Communes.*—The way in which local poor expenses are to be defrayed in the communes is determined by the National Code, in part 2, title 19, sec. 25–36. It is there laid down that the cost of supporting the poor is to be provided, as far as possible, from the proceeds of capital funds and charitable foundations appropriated to that object. There may also be established, with permission of the State, special collections in church, or from house to house. A royal order of a later date allowed, in addition, that poor-boxes should be set up in hotels and restaurants. Where voluntary assistance of this kind fails to supply sufficient funds, the communes are authorized, with the consent of the State, to lay moderate imposts on the luxury, the show, and public amusements of their richer inhabitants. There is a provision to this effect in the National Code, which, although Ministerial rescripts of the 2nd of May, 1823, and the 12th of August, 1825, speak of it as inadmissible and beside the purpose on account of the existing excise,[1] has nevertheless lately been generally admitted, subject to the approval of the Government. In fact, definite taxes may be imposed for the benefit of the local funds on theatres, public exhibitions, and other diversions. Wherever a tax on game is admitted in towns where there is already a tax on the business of millers

[1] Gewerbesteuer.

and butchers, the proceeds go to the poor-box. The legal authority for this is a provision of the National Code already referred to (24th April, 1848). Originally this was also the case with the third part of the Governmental share in the gross proceeds of the millers' tax, which was assigned to the communes by an order of 4th April, 1848 (for improving the condition of the labouring classes by executing public works), and was not made applicable to general communal purposes till the law of 1st May, 1851.

In addition to this, all fines which have by legal provision been expressly dedicated to the poor-fund, are to be applied solely to this object. This includes fines imposed by the police authorities, which are paid to the appropriate communal fund, surplus monies derived from the sale of securities given for the observance of the laws relating to highways, as well as those levied in other cases determined by provincial laws, as, for instance, in connection with offences against the fishery laws in Posen, and penalties imposed on communal officers in the Rhine Province.

So soon as the obligation of poor-relief, in the first instance, became a communal burden incumbent *prima facie* on the local districts, and which was not to expose individuals belonging to the commune to exceptional obligations, nor could by means of contract be thrown upon separate members, there could no longer be any significance in a provision of the National Code of some time back, that in case the resources mentioned above should not be sufficient, proportional contributions should

be made by those "who derive advantage from the abolition of street begging." Poor-relief is a burden on residents and non-residents alike, so far as they are subject to taxation at all. To provide its total cost forms part of the general economy of the commune. The real fact is, that the above exceptional ways and means for supplying the expense, can amount only to a slight alleviation of the burden. Special poor taxes are incompatible with the arrangements of general and local taxation in Prussia, and are, besides, expressly forbidden by a Cabinet order of January 22nd, 1826. For the case of communes whose organisation is in a comparatively backward state, it may be further mentioned that it is equally inadmissible to make provision for the local poor, by allowing them to go round in order to collect money at stated times, by way of begging. If, moreover, where shelter is required on the spot for real poor, no communal land is available for the purpose, and no lodging can be procured by private agreement, the members of the commune in succession must be compelled to take them in. The duty can in no case be imposed on those who possess, for their own use, an amount of space which they happen not to be in need of. (See Ministerial rescript of 29th January, 1826.)

In any case, whether, as in towns, the total cost of relief is an item in the town budget, or, as in country communes, the expense is provided for in a more patriarchal fashion, the business of ascertaining and allowing the amount belongs to the province of the State department entrusted therewith.

Any comprehensible statistical data in existence as to the total amount of costs incurred by the communes for the relief of the poor, will be mentioned below when we come to consider the subject of the general expenditure for that purpose. At present, it need only be observed, that we have no official information as to the details of communal expenditure.

It is also fit to observe that the means so provided by the law for alleviating the burden of poor relief in the larger communes, by means of taxes on luxury, have been but sparingly resorted to. For instance, Berlin, Breslau, Königsberg, Potsdam, and Frankfort-on-the-Oder are the only towns, as far as our information goes, in which there is a tax on game. The proceeds of the tax in the three first-named towns amount only to 365*l.*, 1,050*l.*, and 450*l.* respectively.

(*b.*) *In the Land-poor-unions.*— The money required for the administration of Land poor-relief is levied in a great many different ways, answering to the ancient customs of the different provinces and orders. By express law, and in accordance with the nature of the case, the first source of income consists of the earnings of the inmates of the Land-poor-houses, the property they acquire by succession, the contributions made by the districts in the case of poor, whom they are bound to support, and have transferred to the Land-poor-houses, and the revenue derived from capital dedicated to this object. So much of the expense as cannot be met by the use of these means is raised generally by additions to the national taxes. The branch of taxation

on which this burden is imposed is, in East Prussia, the class and income tax; in the province of Saxony additions are made to the land-tax as well, whilst the two lowest classes of the population are exempted from the class-tax; in the Rhine Province, besides the full class and income tax and the land-tax, additions are also made to the excise for Poor Law purposes, of the kind we are considering. In the recent Land poor regulations of 1864, for Upper and Lower Lusatia, the communal assembly has been allowed to exercise full discretion, subject to the approval of the Government, that is, of the provincial president. These levies are sometimes made in one gross sum, sometimes apportioned among the circles according to their respective populations, and in the calculations required in the latter case the towns are frequently left out of the account, and made the subject of special treatment.

In respect of the general character of the pecuniary assistance afforded it remains to be observed finally that it is never to be looked upon as a free gift. Consequently the body by which it is given is at liberty to demand back again what has been granted, if the pauper should come to be in better circumstances. More especially is this the case where money has been given for the sake of assistance required through peculiar circumstances of a temporary kind, such as illness, &c.

A similar demand may be made where school fees have been lowered in poor schools. It is upon the same general principle, that every public relieving body has a right of succession to the unincumbered assets of persons

whom they have taken in in order to afford gratuitous support, and who have died in the establishment. The only exception is that a pauper's legitimate issue or his wife still receive their legal portion.

The Poor Law authorities of Berlin have a claim of this kind under circumstances which give it an exceptional character, by virtue of a rescript of 2nd July, 1801, issued to the Royal Poor Directory of that date. The right thus conferred is that of succeeding to the property of those persons who, though not admitted into an establishment for relief of the poor, were in receipt of constant support out of the poor funds up to the time of their death, provided that before the support in question was voted the poor person received due notification that the right was claimed, and elected to accept the relief with knowledge of the fact.

(*c.*) *The State Poor Funds.*—The subsidiary contributions made by the State to aid the exercise of public poor-relief, independently of the sums which it has to give in consequence of its general legal position as owner of the State demesnes, and which are set down in the accounts of the department of demesnes [1] as amounting to ℳ30,000 (about 4,500*l.*) are to be found in the statement of the Ministry of the Interior, in Title 9, under the head "beneficent purposes." The separate regularly recurring divisions of this fund are as follows :—

1. Alms and other assistance, including subsidiary contributions for the support of establishments for relief of the poor, and other purposes of beneficence.

[1] We should say Woods and Forests.—(*Tr.*)

2. Funds for providing for discharged soldiers reduced to poverty, and their families.

3. General relief fund.

4. Fund for pensions and other relief for widows and orphan daughters.

5. Funds for founding and restoring ladies' homes.

The contribution mentioned under the first of the above heads is the only one to which we need attach any importance. In amount it far exceeds all the others put together, exclusive of those given as a free exercise of benevolence, and not in the course of official relief. It may be observed that (2) amounts to from $3,000 to $4,000 (450*l.* to 600*l.*), (3) to $1,000 (150*l.*), (4) to from $40,000 to $50,000 (6,000*l.* to 7,500*l.*), (5) to from $10,000 to $20,000 (1,500*l.* to 3,000*l.*), yearly. The State subvention under (1) for defraying the expense of poor-relief, amounting as it does to more than $150,000 (22,500*l.*), may be further subdivided as follows :—

(*a.*) Fund for alms and other assistance.

(*b.*) Fund for the support of distressed soldiers of the war of 1806–1815.

(*c.*) Subsidiary gifts to establishments for relief of the poor, and for other purposes of beneficence.

Our present object makes it unnecessary to pay any attention to the second of the above subdivisions. The sums given amount to about $50,000 (7,500*l.*), but they are of course constantly diminishing, and we may consider the payment as one prompted by a generous feeling, and in excess of the normal requirements of

the law. Nor is there anything to interest us in the way in which these sums are distributed over different parts of the country, according to the respective numbers of old soldiers who have to be provided for.

The fund mentioned under the first head (*a*) "for alms and other assistance," is of more importance. This fund is placed at the disposal of the prefect of the department (in Berlin the royal president of police), and it is his duty to apply it for the relief of urgent cases of distress which are brought under his notice in the first instance. In apportioning the sums amongst the separate departments, the amount given was made to depend sometimes on the extent and population of the department, sometimes on its economical position. The whole amount distributed throughout the kingdom of late years is ℳ26,123 (about 3,900*l.*), which is apportioned amongst the eight provinces as follows:—Prussia proper receives ℳ4,700 (705*l.*), Posen ℳ1,600 (240*l.*), Pomerania ℳ2,030 (304*l.*), Brandenburgh ℳ1,950 (292*l.*), Silesia ℳ4,943 (741*l.*), Saxony ℳ3,100 (465*l.*), Westphalia ℳ2,200 (330*l.*), and the Rhine Province ℳ5,600 (840*l.*).

These sums have not varied in the last few decades of years, consequently the contributions must have decreased in proportion to the population. If they, likewise, are to be looked upon as prompted by pure benevolence, independently of any positive obligation, then the subsidiary gifts under (*c*) "to establishments for relief of the poor and for other purposes of beneficence," must be regarded as furnishing an instance in which the State has incurred the obligation of contributing its share to the support of

official poor-relief, partly because it has voluntarily undertaken to do so, partly upon the ground of tradition, or some previous matter of private law.[1]

We must, however, be careful not to fall into the obvious error of assuming that these payments are the result of a subsidiary obligation incumbent on the State in the third instance upon general legal grounds. If we examine the specification of separate items of expenditure given in the official statement of 1860, we shall there obtain a more precise account of the manner in which the separate rates were raised. They did, in fact, originate in most cases in the ways above mentioned. Of the whole sum given in the year 1860, amounting to about ℔85,000 (12,750*l.*), more than half went to the city of Berlin. The amount of this gift was determined in a great measure by an understanding arrived at, shortly after the war of liberation, between the treasury and the town authorities, according to the terms of which the latter were to receive a fixed contribution of ℔30,000 4,500*l.*).

(*d.*) *Total Amount of Public Relief.*—We are very ill supplied with statistical data from which to form an

[1] It is difficult to repress the observation that the distinction made here and elsewhere is one which the latest school of English jurisprudence does not admit. To us it appears that there is no such thing as a legal obligation incumbent on the State. A legal obligation must be between subject and subject; between State and subject the obligation is purely moral. A legal obligation may no doubt be imposed on a State officer or department, which the State will enforce as long as it pleases, like every other legal obligation, and probably this is what is meant when the State is said to have incurred an obligation.—(*Tr.*)

estimate of the total expense of poor-relief during the present century. The first official document containing any information on this head is Hoffman's statistical table of the year 1810. We learn from it that in that year the sum of about $250,000 (37,500*l.*) is all that can be shown to have been spent for the public relief of the Prussian poor, the population amounting at that time to 4,708,410 persons.

After 1810 we have no more official information till 1849, as to which year we are well supplied by Dieterici's tables. Our means of information as to subsequent years are scanty.

With regard to the year 1849, the amount and distribution of poor-relief for that year is exhibited in two tables. The following particulars may be gathered from the first table:—Of the eight provinces into which Prussia was then divided, Prussia proper contributed $638,943 (95,841*l.*); Posen, $154,508 (23,176*l.*); Pomerania, $461,310 (69,196*l.*); Brandenburg, $1,111,133 (166,670*l.*); Silesia, $771,077 (115,661*l.*); Saxony, $588,249 (88,237*l.*); Westphalia, $384,106 (57,615*l.*); and the Rhine Province, $1,371,990 (205,798*l.*).

The average cost of the relief given to a single poor person varied from 1*l.* 11*s.* 7½*d.*, in Pomerania, to 15*s.*, in Silesia, while the average amount paid upon every individual inhabitant of the province varied from 1*s.* 7*d.*, in Brandenburg, to about 4½*d.* in Posen.

In the second table the subject is looked at from a different point of view, and a comparison is made between the town and country, and between different towns.

We learn from this table the following facts amongst others:—There was spent upon poor-relief in Prussia, in the year 1849, the total sum of about 822,000*l*. Of this amount 72 per cent. was spent in 970 towns, the rest was spent in the country generally. Of the above-mentioned total sum about 61 per cent. was contributed by the communes, 26 per cent. was provided by endowments, and 13 per cent. was derived from private funds. The 970 towns are divided into 60 large towns, 238 of middling size, and 672 small towns. It is observable that the larger the towns, so far as these three degrees afford the means of comparison, the greater is the average sum spent in relieving one poor person, and the greater, in a considerably greater degree, is the average amount paid upon every individual inhabitant. If, instead of comparing a large town with a small town, we compare an average town with an average country circle, similar differences are observable.

Another difference between town and country in respect of poor-relief is that the cost is provided in the former chiefly by endowments, in the latter by private benevolence.

The population of Prussia seems to have been, in 1849, something under ten millions.

[I have left out of consideration in the above the so-called general poor-relief fund. It contributes about 33,700*l*.]

(*a*.) *The Communes.*—The composition and functions of the local Poor Law authorities may be learnt from the different orders of town and country communes issued on the subject. The six eastern provinces are treated of

in the Order as to towns of May 30, 1853, and the Order as to country communes of April 14, 1856. This latter is, however, no organic law, but only a supplementary enactment appended to the older statutes as to the constitution of the country communes. The constitution of Westphalia has been reformed by the Order of March 19, 1856, embracing the town and country, that of the Rhine Province by the Order of May 15th of the same year. By these regulations poor-relief is exercised in the first instance in the towns of the eastern provinces and Westphalia by the magistracy (*magistrat*[1]) or rather by the Poor Law Directory, a deputation of magistrates, municipal authorities, and deputies, subordinate to the body of magistrates (*magistrat*); in those of the Rhine Province by the burgomaster; in all country communes by the local board. The general legal position of the relieving bodies in all three cases in relation partly to the officers exercising State control, partly to the Land-poor-unions, has been given in the sketch of the present provisions of the Poor Law.

The actual machinery of the poor districts is identical with that of the civil communes. The annexed table shows the numbers of the different bodies independently exercising poor-relief in the separate provinces. These numbers applied originally to the year 1858, but they cannot have materially changed.

In this table the communes, which may be called the first administrative units, are followed by the next bodies

[1] The magistrat is a body of 34 members elected by the municipal council.—(*Tr.*)

exercising State control, so that we gain a tolerably complete view of the general administrative divisions of the country.

Provinces.	First Division.					Second Division.	Second or sometimes Third Division.
	Country Communes.	Towns.	Demesnes, Forests, &c.	Manors.*	Other Independent Proprietorial Districts.	Amts (in Westphalia) Burgomasteries (on the Rhine).	Circles.
Prussia	8,521	121	201	2,343	1,889	—	55
Posen	3,917	143	75	1,501	887	—	26
Pomerania . . .	2,245	72	193	1,863	682	—	26
Brandenburg . .	3,268	139	207	16,58	610	—	30
Silesia	5,743	143	154	3,256	541	—	58
Saxony	3,085	143	125	1,143	205	—	39
Westphalia . . .	2,567	99	19	425	—	243	34
Rhine Province .	4,299	128	45	453	—	703	44
Sigmaringen . .	—	7	—	—	—	—	—
Totals . .	33,645	995	1019	12,642	4814	946	312

A single glance will show one peculiar difference between the eastern and western provinces. It is as follows: in the west an intermediate district, the "Amt" in Westphalia, and the "Burgomastery" in the Rhine Province, occurs as a link between the commune and the circle, though entirely wanting in the east. The following remarks are made on this subject by Max Wirth: "Considering that in the eastern provinces every village and independent manor forms a separate district, and is administered by a body which is subjected only to the supervision of the Landrath as president of the circle, considering also that the great extent of the circles,

* Rittergüter.

amounting, as it does on an average, to from fifteen to thirty square miles, taken together with the onerous general duties of the Landrath, makes it very difficult to obtain a concise view of the subject, it follows that the arrangements observed in the western provinces are all the more useful where a number of villages or manors are joined to form an 'Amt' or 'Burgomastery,' and the Amtmann or Burgomaster exercises supervision over the separate communal administrations." These remarks are unquestionably correct, as the bodies in question are not so far removed from the communes, and are consequently in a position to carry out a more active supervision of poor-relief. On the other hand, that independent position which the communes ought always more and more to aim at, is not promoted by the proximity of State control thus established.

(*b.*) *The Land-poor-unions.* — The Land-poor-unions are not the depositaries of any superior authority, they are only larger communities subjected to certain supplementary duties. For their origin we must look at the history of the different orders in the State, and they are consequently closely connected with the organisation and gradual development of those orders which enter into the commune. Resting as they do, in respect of their original constitution, on the same historical basis with the territorial constituents of which the old Prussian State was composed, these political divisions, especially the Land-poor-unions, wear a very motley appearance. Moreover the position and mutual relations of the latter to one another similarly present an extraordinary variety, in consequence of the different regulations and instruc-

tions of which they have been separately made the subject. The two provinces which respectively form separate unions, are Posen and Westphalia. They have, however, all institutions in common. In Pomerania, Hither and Further Pomerania, or the departments of Stettin and Köslin on the one hand, and those of Stralsund and New Hither Pomerania on the other, are distinguished from each other, but the two divisions have establishments common to both. The Rhine Province is in the same case in which each of the five departments forms a separate union, and so is the province of Prussia, where certainly, on the one hand, West Prussia, or the departments of Danzig and Marienwerder, form a single independent "Land-poor-union," but, on the other hand, though the 35 East Prussian country and town circles form so many different unions, nevertheless they have none but common institutions. In Silesia also at least some connection can be shown between the respective borders of the Land-poor-union, the province, and the governmental department. In that province, a common regulation was issued for the Duchy of Silesia and the County of Glatz, in accordance with which four unions have been formed for this part of the national territory:— viz., the town of Breslau, the department of Breslau (without the town), and the departments of Oppeln and Liegnitz (without Upper Lusatia). These four have establishments for the poor common to them all, whilst the Margraviate of Upper Lusatia, which consists of parts of the circles of Lauban, Bunzlau, and Sagan, stands entirely by itself.

The way in which Brandenburg and Saxony are parti-

tioned out into Land-poor-unions, is independent of the general administrative divisions. Brandenburg has, on the whole, eight such unions, namely, the towns of Berlin, Potsdam, and Frankfort on the Oder; Uckermark, Kurmark, Neumark, the circle of Kottbus, and the Margraviate of Lower Lusatia (the circle of Sorau with the neighbouring districts). All these Brandenburghian unions are separate from one another, and possess for the most part their own institutions. It is true that Lower Lusatia is more closely connected with Upper Lusatia, which latter belongs to Silesia.

In Saxony there are, it may be said, six Land-poor-unions, but they have institutions common to them all. Accordingly, the number and distribution of Land-poor-unions administering supplementary relief are as follows:—

1. In the Province of Prussia there are 36, of which 35 are in East Prussia, and 1 in West Prussia.
2. In Posen there is 1.
3. In Brandenburg 8.
4. In Pomerania 2.
5. In Silesia 5.
6. In Saxony 6.
7. In Westphalia 1.
8. In the Rhine Province 5.

From this it appears that the population of these 64 unions varies in number from that of the province which is the largest administrative district to that of the circle which is the smallest.

CHAPTER III.

THE CITY OF BERLIN.

[By Dr. H. Schwabe.]

Historical Sketch.

The first attempts at organising poor-relief in Berlin on the part of the State, as far as our means of information reach, occur in the reign of the elector, Frederick III. (afterwards King Frederick I.). It was in his time that a foundation was laid for the formation of a Poor fund, and for the appointment of a special department for superintending the whole subject and conducting the business of relief. The enactments of preceding rulers, concerning as they did the poor of the Kurmark, and more particularly of the residential city Berlin itself, were chiefly aimed at the extinction of begging on highways, or from door to door, and its attendant mischiefs, this practice having then assumed a very bold front; and, further, at giving a legal form to the duty of relief incumbent on the communes.

The management of relief in towns and villages generally was referred by the elector to the local authorities, magistrates, and lords of manors, but the Poor Law of Berlin was separated from that of the kingdom in general,

and treated independently. The elector first of all nominated by an order of the 19th of August, 1693, a commission of superior officers, secular and spiritual, for inquiring into the condition of the Berlin Poor establishments. This commission, which appears to have conducted all Poor Law matters provisionally until the year 1699, made an order on the 16th of August, 1695, that all poor and distressed persons should meet twice a week in the Town Hall, in order that everyone might receive assistance according to his need. Begging on highways and in houses was to be forbidden. To defray expenses, the commission ordered that a special collecting box should go round once a week (it was afterwards altered to once a month), and this is the origin of the main Poor fund still existing. This fund was further augmented by Church offerings and State appropriations of different kinds, by taxes and fines, to some extent by the acquisition of landed property, and before long by private donations and legacies.

As early as the year 1699 the creation of this main Poor fund was followed by the foundation of free schools for the poor. These schools have remained under the management and supervision of the Poor Law authorities down to the present day, having been in the meantime considerably augmented and extended.

Finally, we must refer to the same time the creation of a great poor-house, the Frederick Hospital, the object of which was to educate orphans among the Berlin poor, to cure sick and deranged persons, to set beggars at work, and to make permanent provision for aged persons

incapable of working, which amounts to accomplishing all the ends of relief to the shut-up poor.

The management, supervision, and direction of all these institutions, the poor-fund, the free schools, and the poor-house, were definitively regulated by the Elector's appointment of a "permanent and perpetual poor commission." (Patent of April 3, 1699.) The commission was to be presided over by a privy council of superior secular and spiritual officers, and to enact whatever necessity enjoined for the alleviation of poverty. It also exercised the right of patronage in matters connected with the poor.

By these measures a foundation was laid for the organisation of poor-relief in its separate branches, which only needed to be supplemented and further developed by the successors of Frederick.

Supplementary arrangements consisted chiefly in this, that the different objects of relief for the shut-up poor which were originally intended to be effectuated in common by means of the great Frederick Hospital, were afterwards provided for by the creation of special and separate institutions. From the year 1695, when public relief was first set on foot, down to 1820, no obligation of contributing to it lay on the commune; what contributions the latter made were voluntary, like those of a private person. This state of things was radically altered by a cabinet order of the 3rd of May, 1819, which brings us to the next part of our subject.

2. *Sketch of the present arrangements.*—From the 1st of January, 1820, the whole business of poor-relief in Berlin,

including the establishments therewith connected, as well as all charitable endowments with their revenues and general property, with the exception of what is called the Charité, has been in the hands of the commune.

The establishments which were handed over to the commune at the above date, included more especially the great Frederick Orphan Asylum; the workhouse; the new hospital, with three smaller hospitals belonging to it, the whole called, after their consolidation, the Frederick William Hospital; the industrial and other free schools.

On the other hand, the Charité and its property are regarded as belonging to the State, and are managed by special civil officers independently of the general business of poor-relief.

This separation of the Charité from the poor establishments handed over to the commune, and the very considerable contributions made by the State in aid of public relief in Berlin, were the subject of negotiations between the civic and State authorities, which lasted for some years, and were finally concluded concurrently with other disputed questions on financial subjects, in the following manner:—

1. With regard to the Charité, it was laid down by the Cabinet Order of June 6, 1835, that, so far as concerns the right of the town to make use of the Charité's hospital, it should be allowed from that time only 100,000 free days therein, and that any relief accorded beyond that amount should be paid for.

2. The contribution to be made by the State was by a Royal Cabinet Order of December 31st, 1838, fixed at ℛ55,000, or 8,250*l.*

The institutions for the benefit of the poor, handed over to the town on the 1st of January, 1820, included schools. These, however, were, in 1837, separated from the Poor Law administration, and joined to that of town education in general. We shall, therefore, in the statistical account of public poor-relief which follows, pay no attention to the question of the education of the poor, seeing that by the 25th Article of the Constitution of Prussia, the principle of gratuitous education in the public national schools is admitted, as it had been before in the common law, and hence exemption from school payment is not treated as forming part of poor-relief.

The organisation of public relief as conducted by the town authorities is regulated in the first place by the Poor Law Order for the capital Berlin, of October 3, 1826; in the second place, by the practice of the Berlin Poor Commissions, of the 23rd March, 1836, which lays down that:

The whole business of public poor-relief for the town of Berlin is conducted and supervised by the Poor Directory, a special body of municipal deputies which, like all such bodies, is subordinate to the magistracy. The full number of its members consists at present of 11 members of the magistracy, including the president, 11 town commissioners, 3 assessors (Bezirks-Dezernenten), and 7 deputies of the burghers, including 2 medical experts and 1 clergyman, as well as the chairman for the time being of the meeting of the heads of the Poor Commissions.

The deputies of the burghers, in accordance with section 59 of the town-order of the 30th of May, 1853, are chosen into the standing deputations by the assembly of

town commissioners out of the number of burghers capable of voting; that assembly itself is chosen in the same manner; while the members of the magistracy are nominated by the head Burgomaster.

The institution of assessors to the poor directory, that is, of paid members who have exclusive charge of the business of carrying out the district decisions, was only set on foot in October, 1853; it was established in consequence of the mischiefs occasioned by the frequent change in the *personnel* of the college entrusted with the business in question as well as with supervision of the poor commissions, mischiefs which were evinced, especially before the date just mentioned, by a certain laxity in the principles on which the general management was conducted, and a serious increase in the figures of the Poor Law budget. The new institution has answered well, for the better security it afforded that a definite and uniform system should be applied, and that the actual practice of the poor commissions should be subjected to a more regular and more rigorous supervision, while all demands made by the commune to be recouped by private societies or other relieving bodies were listened to with more attention. The result of all this was a considerable improvement in a financial point of view.

There are two divisions parted off from the general body of the poor directory, which superintend specially the care of orphans and the management of the workhouse, with the dependent establishments. They are put under the immediate authority of the magistracy, but, in order to secure uniformity in the principles of manage-

ment followed, a close connection is kept up between them and the general body by a deputation of several of their members taking part in the latter's proceedings, as well as by the fact that the chairman of the general body has the right of exercising some supervision over the way in which the divisions conduct their business.

Poor Commissions.—The direct administration of out-door poor relief is in the hands of the poor commissions. These bodies are distributed over the whole town; they are organs of the poor directory, and are subject to its orders and supervision.

There are now existing 109 poor commissions, and each embraces one or more town districts. Each is composed of from 6 to 22 members, according to the necessity of the case.

The members are presented to the magistracy by the poor directory on the proposal of the commission itself, and are selected by the town administrative assembly for six years. The heads of districts within the field of operations of the poor commissioners or their representatives, are *ex-officio* members, and; the administrative officers of the town have a seat and voice at the proceedings, who exercise inspection within the same limits.

The members choose a chairman, who receives from the poor directory a confirmation of his appointment valid for two years.

Every poor commission meets regularly towards the end of the month at a conference, at which expenses are settled, and, in general, the instructions of the poor directory and other commands given by royal or muni-

cipal authority, are carried out. Every month a general meeting of chairmen of commissioners is held in the presence of a commissary of the poor directory, for discussing matters of common interest.

Amongst the functions of the poor commissions the following are more particularly to be noticed:—

1. Tracing out, inspection, and relief of the poor.

2. Allowance of medicine and medical attendance, free of cost.

3. Procuring hospital accommodation where requisite.

4. Procuring that children destitute of assistance shall be received into the orphan asylum, and supervision of children boarded out. It was at one time the business of the poor commissions to keep under their observation those inmates of orphan asylums who received shelter within their district; but since the year 1867 this function has been discharged by the newly-formed "orphan offices," which are organised upon a system resembling that of the poor commissions.

5. Giving free burial orders.

6. Taking the requisite proceedings relative to the assets of deceased paupers, for realising the right of succession, which belongs to the commune.

7. Receiving and keeping accounts of collections in houses and churches.

8. Issuing certificates of poverty.

9. Examining and allowing requests for delay or reduction sent in from the Royal Excise Office, for taxes on trade, the Quartermaster-General's, and the pay department of the City Court.

The members of a poor commission are so distributed over a district that each man has a special duty of looking after a particular number of houses. Over and above the local inspection thus practised by the different members, there is held, at least once a year, a general review of all the cases in which alms and relief are given in the district, and the question is considered whether support shall be continued or not, and to what extent. In addition to this, further revisions are held by persons specially deputed by the poor directory.

II.—STATISTICS OF BERLIN POOR LAW.

I. OPEN RELIEF.

Open relief is administered, as above mentioned, by the 109 commissions which are distributed over the whole town under the orders and supervision of the general body of the poor directory. The relief given by them, or through their instrumentality, is partly in money, partly in kind, and partly in the shape of gratuitous medical attendance. In 1868 relief was given to 7,884 receivers of alms, being 1·13 per cent. of the civil population; 4,084 children for whom foster-money is allowed, being 5·8 per cent.; besides these, to 44,793 sick persons at their own homes, being 6·40 per cent.

The average annual sum spent on a receiver of alms was ℛ34 15 sgr., or 5*l.* 3*s.* 6*d.*; on a child, ℛ17 5 sgr., or 2*l.* 11*s.* 6*d.*; on a sick person at his own home, 29 sgr. 8 pf., or 3*s.*

As to the various kinds of relief given, the following particulars may be mentioned:—

A.—RELIEF IN MONEY.

Relief in money is either current or casual. Current relief is called alms when bestowed upon old or sick persons, or those for other reasons permanently incapable of earning a livelihood—foster-money when given to mothers to enable them to maintain their children up to the age of fourteen. Both kinds of current relief are subjected to a process of examination and supervision which is renewed every year. Extra support is given partly to one, partly to the other of the two classes of recipients, but chiefly to persons who are not yet in receipt of constant relief from the Poor Commissions.

(*a.*) *Alms.*—In the years 1867 and 1868, the total number of monthly allowances made by way of ordinary current relief, was 89,247, and 94,613; and their total amount was ℳ251,888, or 37,783*l.*, and ℳ271,978, or 40,796*l.* When extra monthly allowances are added to these, the total number of monthly allowances becomes 93,020 and 99,003, and their total amount ℳ258,786, or 38,819*l.*, and ℳ279,918, or 41,987*l.* The average amount of allowances made in the course of ordinary current relief was consequently about ℳ2 24 sgr. 7 pf., or 8*s.* 7*d.*; and of allowances in general, irrespective of the question whether they are current or extra, about 8*s.* 6*d.*

In the month of December, 1868, money was given to 8,020 recipients of alms. If we divide those persons into

classes according to the amounts of their respective allowances, the first class comprehending those who received less than one thaler (three shillings), the second those who received between one and two thalers, and so on; the last class, who received between nine and ten thalers, will be the tenth, and the respective numbers of the different classes in the order indicated by the respective amounts of their allowances, are as follow: (1) 484, (2) 2061, (3) 2276, (4) 1933, (5) 1098, (6) 138, (7) 18, (8) 9, (9) 1, (10) 2. The corresponding numbers for 1867 are: (1) 655, (2) 2121, (3) 2183, (4) 1842, (5) 805, (6) 36, (7) 12, (8) 10, (9) 2, (10) 2. And the whole number who received alms in December of that year, was 7668.

Some further particulars as to age, sex, calling, and position in life are given for years preceding 1868, but not for 1868 itself.

With regard to the age of recipients of alms in December, 1867, ·49 per cent. of the whole number were under 21, 1·58 between 21 and 31, 3·55 between 31 and 41, 8·57 between 41 and 51, 19·10 between 51 and 61, and 66·71 over 61. With regard to sex, calling, and other circumstances of the same persons, *viz.* those who received eleemosynary relief in December, 1867, see the following table:—

MEN.

Official persons and teachers	0·25 per cent.
Artists, literary persons, &c.	0·51 ,,
Persons engaged in commerce	0·51 ,,
Persons engaged in mechanical employments, workmen, journeymen, servants	22·80 ,,
Total	24·07 ,,

WOMEN.		
Unmarried women, including servants ..	10·53	per cent.
Married women	0·95	,,
Wives separated from, or deserted by their husbands, widows	64·45	,,
Total	75·93	,,

Data wanting for 74 cases.

The Poor-commissions have, up to the present time, been only able to furnish us with very imperfect information as to the causes of poverty. The most precise data on this subject are those for 1866. In that year the causes are given as follows:—1,327 cases arose from advanced age, 1,009 from illness, 235 from crime, 51 from mental weakness, 528 from inability to work; in 2,399 cases of widows, and 1,603 other cases, no cause was assigned.

(*b.*) *Foster-money.*—As to money given to mothers for support of their children, the annual average amount of payment made with this object has been already stated. The usual sum per month is ℛ1 7 sgr. 6 pf. (3*s.* 9*d.*); this is only departed from on special grounds in each particular case, such as illness of the child, inability of the mother to procure sufficient employment, &c.

(*c.*) *Extra Support.*—This is given in case of exceptional distress partly to receivers of alms and foster-money, but more especially through the instrumentality of the Poor-commissions, to persons not yet in need of constant support.

In the year 1868, the whole sum given by way of alms,

foster-money, and extra support, amounted to ℛ396,945 (59,591*l.*), the number of separate allowances being 169,208, so that the average value of a portion is about ℛ2 10 sgr. (7*s.*).

Relief Given in Kind.

(*a.*) *Cultivation of the Potato by the Poor.*—Arrangements relative to this means of subsistence have been in use since 1833. They have proved very beneficial: they do not, however, fall within the scope of the regular legal obligations of the commune, which, in this instance, exercises especial forethought for the purpose of putting in the hands of the able-bodied poor the means of providing themselves with an indispensable article of food. Every year a considerable number of acres of manured land is taken on lease by the Poor-directory, and let out by lot to those families whom the different Poor-commissions have recommended on the ground of the number of their children. The allotments were paid for at the rate of ℛ2¾ or 8*s.* 3*d.* for 30 ruthen, nearly 17 perches.[1] Any costs not covered by these payments, including those made as a consideration for the lease, for seed, for inspection, &c., are borne by the commune.

In the year 1868 the amount taken on lease was 301 morgen, about 190 English acres, which were sublet in allotments to 1,735 persons; the crop amounted to 21,239 scheffels, that is, on an average, 12 scheffels, or

1 180 ruthen make a morgen, and a morgen is 2·525 English roods.

nearly 19 bushels for each allotment; and the sums contributed by the commune were ℛ3,740 (561*l.*), or ℛ2 2 sgr. (6*s.* 2½*d.*) on the allotment.

(*b.*) *Soup in Winter.*—For the purpose of providing soup, the Poor-directory has connected itself with a private society, the "Directors of the Institution for Feeding the Poor." This society distributes gratis to needy families, through the agency of the Poor-directory, the greater part of a quantity of soup which is prepared in ten different kitchens during the three winter months (15th December to 15th March). Its efforts are supplemented when necessary by the commune, the extra contribution thus given varying in different years from ℛ300 (45*l.*), to ℛ10,000 (1,500*l.*). In recent years the number of soup tickets given daily amounted on an average to four or five thousand.

(*c.*) *Gifts of Clothes to Candidates for Confirmation and School Children.*—In the spring and autumn of every year candidates for confirmation, boarders in orphan asylums, children for whom foster-money is given, children of persons in receipt of alms, and those belonging to families receiving extraordinary relief, are, on the recommendation of the Poor-commissions, provided by persons appointed by the Poor-directory with the most necessary articles of clothing. The number of children so provided for amounts to 800 or 900 a year, the total cost being 765*l.*, which makes an average of ℛ5 5 sgr. or about 18*s.* per child.

Besides this, in urgent cases, articles of clothing are given to poor school children, upon recommendation of

the Poor-commissions, as in the former case; the expenses under this head are comparatively small; they amounted, in 1867, to $799, or 120*l.*

(*d.*) For the purpose of meeting the increased want which occurs in the winter months, gifts of fuel or of money to buy it are made to receivers of alms, or foster-money, as well as to families not in receipt of current relief. The fuel itself is given in doles of one-quarter of a *klafter* of pinewood; the money in gifts of 4*s.* or 5*s.*

In recent years, 2,600*l.* or 2,700*l.* sterling per year have been disposed of in this manner, by far the greater part being given in money.

(*e.*) Loans of articles of furniture, beds, &c., are made, chiefly out of the property left by paupers, and to which the commune has succeeded.

(*C.*) *Open Relief of the Sick Poor.*—So long as there are any classes of the population who have not instituted collections for the sick out of their own resources, it is indispensable that the government relief agency should intervene for the assistance of those families who, though in general in an independent position, nevertheless, from their daily wages being their only source of income, and affording them nothing be yond the supply oftheir most pressing wants, are not able to meet those extraordinary demands which are occasioned by such an emergency as the illness of the head of the family or even of others of its members. The extra relief mentioned above, mainly consists of assistance given to families in such cases. The sick either receive gratuitous attendance at their own homes, so far as the nature of their illness or as domestic

circumstances admit of it, at the hands of the district Poor doctor, or else they are referred by the same officer to a hospital, at the cost of the commune. We are at present only concerned with the class first mentioned—namely, the sick who remain at home. In every one of the 44 medical districts for the poor now existing there is a medical officer placed for the purpose of attending to the poor who are not in closed establishments; there are also doctors for special subjects, whose province is not limited to any part of the town, such as oculists, doctors for women, doctors for the deaf, doctors for cases of deformity. Drugs are given gratis, as well as medical attendance. In order to receive these kinds of relief the sick poor must obtain a certificate from the chairman of their Poor-commission. For the sake, however, of preventing abuses in the granting of certificates, the arrangement has been, ever since 1855, whenever medicine has been given at the expense of the poor funds, that this should be done subject to special control on the part of the Poor-directory, it being at the same time laid down as a rule that the expense should be recovered.

The number and average cost of the cases in which medical relief has been given to sick persons at their own homes, in 1868, has been already mentioned. The number of sick so relieved has considerably fallen off since 1854. This is chiefly to be attributed to the fact that since that time many persons who previously had derived more or less support from the agencies we have been describing, became members of the Workman's sick benefit society, making thereby a great accession to the

numbers of that most useful institution. There can be no doubt that in the annual lists of these sick persons, the same names occur, in many instances, several times over; we cannot say how often this is the case, nor how many of those mentioned are recipients of alms or foster-money.

The whole expense of relief given to the sick, in 1868, was 6,681*l.*, of which 1,870*l.* consisted of payments to the doctors, 4,272*l.* was the price of medicine, the rest being paid for baths, bandages, &c.

(*D.*) It remains to mention the allowance of free burials. The annual expense of this does not exceed 450*l.*

2. Close Relief.

What is called close relief is administered partly by institutions belonging to the town, under the supervision of the Poor-directory at their cost, partly by other institutions, whether governmental or private, whose machinery is made use of by the general Poor Law authorities.

The several objects of close relief are the following :—

(*A.*) Education and relief of children.

(*B.*) Temporary shelter and employment for able bodied vagrants, and a provisional asylum for the homeless.

(*C.*) Relief of the old and infirm.

(*D.*) Relief of the sick.

(*E.*) Care of the insane.

We will speak of these under their separate heads.

(*A. a.*) *Care of Orphans.*—The general relief of orphans in Berlin falls within the scope of the institution called the Great Frederick Orphan House. The object of this establishment is to provide shelter, support, and education for children whose parents either are dead, or, from illness, abandoned character, or confinement in prison, are not in a position to educate and support them. Other urgent cases of need are also admitted. The care and education of the children is sometimes carried on in the buildings belonging to the institution, sometimes they are boarded out with foster-parents who are paid to maintain them.

In both cases the relief given forms part of a single system, the united expenses are defrayed out of one fund, and the whole is under the supervision of a single controlling body, *viz.* the subdivision for orphans of the Poor-directory.

Since the 1st of July, 1859, the establishment for educating orphans has been placed at Rummelsburg, in a new and commodious building erected at an expense of ℳ306,969 (46,045*l.*), with furniture which cost ℳ27,040 (4,056*l.*), and since that time the premises previously used for the same purpose at Berlin, has served as a house of call, where children are deposited temporarily on their way to or from the other building. Children boarded out are provided for partly in Berlin, partly in the neighbouring towns and villages, in families adapted for the purpose.

In Berlin, the care and education of the boarders, superintended at one time, as mentioned above, by the

Poor-directory, has for the last two or three years been in the hands of special independent organs, the Orphan offices. Outside Berlin, superintendence is exercised by the local clergy, subject to further annual revision by delegates of the Poor-directory.

In 1867 there were on an average 496 children taken in by the institution, and 1,804 boarded out; the cost per head of the former being ℛ134 11 sgr., about 20*l.*; of the latter, ℛ49 20 sgr., about 7*l.*

(*b.*) *Schools for Neglected Children.*—Provision of this kind is made by various societies, who have agreed with the Poor-directory to take in a number of children at so much per annum; sometimes children so circumstanced are provided for in the workhouse. The reformatory has at least 48 pupils at a cost of ℛ60 each, and the "Grüne Haus," or place of education, has 30 at ℛ48 per head, while the Gossner Institution for girls has 9 town pupils at ℛ48 each.

(*c.*) *Hospital Accommodation for Children afflicted with Bodily or Mental Infirmities.*—There are two asylums for idiot children, in each of which 10 children are provided for at the cost of the commune. The royal establishment for the deaf and dumb receives fixed contributions for the education of children sent by the commune.

(*B.*) Shelter and employment for vagrants, and an asylum for the homeless, are provided by means of the workhouse erected in 1742 by Frederick II., in order to check begging. This workhouse was subsequently used as a house of correction for beggars, idlers, and vagabonds; more recently as a hospital for sick and infirm persons, so

long as they were not of good character, and for those incurably deranged; finally it afforded provisional shelter to houseless persons and their families. These three classes of persons, the houseless, the infirm, and the deranged, originally lodged in one establishment, have lately been placed in institutions locally separate, though all put under one system of management.

The number of permanent inmates belonging to the first of these classes is, on a single day, on an average 400, provided for at the yearly rate of ℛ82 1 sgr., or 12*l.* 6*s.* 1*d.*, taking one with another, which, however, is reduced by the person's own labour to ℛ53 12 sgr., about 8*l.*

Of families admitted in the course of 1867 there were 114, containing on an average 3 persons each, and 67 such families were in the same year dismissed, after receiving relief amounting, on an average of cases, to a little over 6*s.*

Unattached persons were relieved and dismissed the same year to the number of 144, the average relief given amounting to 2*s.* 4*d.*

(*C.*) *Old and Infirm Persons.*—The hospital attached to the workhouse is meant for aged and sick persons not of good character. Persons of good character, of both sexes, who, from poverty, age, and other causes, are unable to earn their living, find a refuge in the Frederick William Hospital, erected 1849. This hospital received, in 1868, 455 persons a day on an average, at an average cost per head, during the year, of about ℛ6*l.* 10*s.*

There is a hospital for women afflicted with incurable

illnesses, the number of cases annually relieved being, on an average, 93, at a cost of 20*l.* each case.

Other hospitals for incurable diseases are in existence under private or parochial management, of which the Poor Law authorities make use.

(*D.*) *The Sick generally.*—The town has no hospitals of its own, and is obliged to send such sick as cannot be attended in their own homes to one of the royal or union hospitals. It has been already stated, in regard to the Royal Charité, that the town is only allowed 100,000 free days there for its poor. Any further accommodation must be paid for. The Poor-directory is free to make its own terms with the different hospitals. In the Charité, and in some other houses, an adult person is taken in at a daily cost of about fifteen pence.

(*E.*) *The Insane.*—The town Poor Law authorities are only to a limited extent under the obligation of taking care of the insane. Berlin cases, if not incurable, are attended to by the Charité free of cost, in pursuance of a Cabinet order of 1835. Strangers, for whom the town has to make temporary provision, are also taken in by the Charité, but at a cost of 2*s.* a day. The incurably insane are provided for in an establishment attached to the workhouse, at an average annual cost of about 16*l.* 5*s.*

3. Benevolence.

We have no trustworthy statistical evidence as to the relief afforded by churches, societies, and private persons, and can only speak of the benevolence exercised in con-

nection with the operations of the Poor-directory. There have been lately visible in various quarters, both private and official, some symptoms of a movement for organising a system of voluntary relief. They have, however, as yet led to no result, and need be no further mentioned. The Poor-directory, however, commands means enabling it to exercise acts of benevolence towards the poor, without being bound by the restrictions which have to be observed in the administration of governmental relief. These means are supplied partly by endowments and legacies, partly by regular contributions made by members of the royal family.

The assistance is partly in current relief, partly in single donations, by which poverty can be warded off or special distress be put an end to. The relief is confined to those poor who, from a feeling of shame, are unwilling to apply as yet to the government officer. In cases in which current relief is given, inquiries are made from time to time as to the respectability of the recipients and the degree of their distress.

The number of persons who in the year 1867 received current relief of this kind, was 871, those who received single donations being 815, the total amount given being rather more than 6,000*l.*

CHAPTER IV.

THE TOWN OF ELBERFELD.

[By A. LAMMERS, of Bremen.]

[1] THE care of the poor in the town of Elberfeld, during the last sixteen years, has excited much interest by the peculiarity of its plan, and by its rapid and lasting success. It has been imitated by the manufacturing towns of Barmen and Krefeld, and is looked upon as a model by all German towns anxious for reform in the management of the poor.

Although Elberfeld is a creation of the manufacturing industry of modern times, yet the mediæval idea that the care of the poor should be in the hands of the clergy, was deeply rooted even there, and to the present day it has occasioned violent opposition to the poor being taken under civic control, nor has the hope of a recurrence to Church management been even yet abandoned. For the first time, in A.D. 1800, under the dominion of the French, the Church was superseded by the civil power;

[1] The town of Elberfeld is divided for the management of the poor into 252 quarters. There are 18 districts, each containing 14 quarters. Every quarter has one visitor; these visitors attend the district meetings, which are held once a fortnight. Besides this, there is the board of management, which meets also once a fortnight, and is attended by the heads of the 18 districts.—(*Tr.*)

its influence returned with the liberation of Germany in 1816. In 1817, however, it was again necessary to call in the aid of the civil power, but without giving it entire control; another attempt at reform, in 1840, failed. It was only in 1852 that the modern idea that the care of the poor should be undertaken by the State was carried out in its present form; even then the district of Wupperthal resisted, so strongly was it imbued by Church influence. The feeling of common danger, owing to the increasing mass of misery, was, however, strong enough to organise the care of the poor by personal attention to all, without regard to religious differences of opinion. These must always have some influence when the care of the poor is in the hands of the Church; something, then, must ever be left for the commune to do, and the secret of success, which lies in a single authority possessing entire control within a certain area, is destroyed.

The difference between the old and new system in Elberfeld may be shown by a few plain statistics, taken partly from the annual discourses of the chairman of the board of managers (for the poor), Geh. Kommerzienrath Daniel von der Heydt, with which he opens the sittings of the official body of which he is the head, partly from the annual reports of the Burgomaster, Lischke, on the general government of the town.

In 1822, when the factories in the Wupperthal were flourishing, and corn at its lowest price, the number of inhabitants in Elberfeld amounted to 23,000 persons; 1,650 persons, or 7 per cent., were in receipt of relief.

During the years 1838 to 1845, years of average prosperity, the inhabitants averaged 40,000, and the number of those relieved from 2,000 to 2,500, *i. e.* 5 to 6 per cent. During the years of scarcity, the number of persons receiving relief at their homes (not including those in any public establishment) amounted to 14 per cent.; in 1852, the year before the last reform, it amounted to 8 per cent. But, in the year 1867, the number of those receiving out-door relief fell to $2\frac{1}{2}$ per cent., and during the last ten years, since the new system has had time to work, it has never exceeded 4 per cent.; though the figures may have varied a little within that space of time, according to the fluctuations of trade and the price of provisions. In 1865 the percentage was only $2\frac{1}{2}$; in 1866 and 1867, on the contrary, it was $3\frac{1}{5}$. But the limit of these variations, and the difference between the highest figure, 4 per cent., and those before the reform, is very remarkable.

The number of those requiring relief being reduced, the expenses of the town were reduced also. The sum granted for out-door relief in money, soup, clothing, and bedding, had amounted in

	$	£ s. d.
1828, the number of inhabitants being 29,255, to	17,546	(2,631 18 0)
1847, the number of inhabitants being 46,104, to	51,829	(7,774 7 0)
1852, the number of inhabitants being 50,364, to	47,149	(7,072 7 0)

On the other hand, it amounted in

1857, the number of inhabitants being 52,590, to	17,487	(2,623 1 0)
1867, the number of inhabitants being 64,732, to	27,182	(4,077 6 0)

Perhaps, after remarking the fall from 1852 to 1857, the rise, though slight, from 1857 to 1867 may strike us. It is explained by the rise in the average allowances which, in fact, had already begun in 1825, or even sooner, and it places the diminution in the general expenses of the town in a more striking light, whilst the diminution, at the same time, in the proportioned number of those supported, was a guarantee that relief was not granted at the cost of a wholesome and necessary severity against immoderate claims. On an average, every out-door pauper received in—

	Th.	sgr.	pf.	£	s.	d.
1828	4	5	4	(0	12	6½)
1847	7	29	2	(1	4	0¼)
1852	11	23	7	(1	15	5¼)
1857	11	13	4	(1	14	4½)
1867	18	4	9	(2	14	5¾)

In judging of the time for which these average allowances, taking one case with another, have lasted, we must remark that in 1867, out of every 100 grants made by the fortnightly meetings of the districts, it was found possible to withdraw 46 at the end of two weeks, and 57 at the end of four weeks. Nearly, therefore, one-half of the grants for relief were given for a fortnight only, whilst rather more than one-half were given for one month only. This is important, not merely in judging of the amount of relief given, it also partly reveals the secret of success in the Elberfeld system, *i. e.* constant and personal supervision.

One more comparison of statistics may point out a good result arising from this new system beyond its more

immediate object. At first sight it might be expected that the diminution, under the severer principles of giving relief, in the number of those relieved would lead to an increase in the arrears of taxes, but the reverse proved to be the case. From 1845 to 1846, and from 1849 to 1852 (1847 and 1848 are excepted on account of their abnormal condition), the sum in question averaged 752*l.* 8*s.* per annum; from 1854 to 1858, after the reform, it averaged 191*l.* 11*s.*; and from 1859 to 1864, when the new system had really had time to work, it averaged 157*l.* 16*s.* We may, therefore, draw the conclusion that since 1853 the system of affording relief to the poor in Elberfeld has had a good effect on the financial as well as moral strength of the town.

The most striking feature in the Elberfeld system is the large number of persons who came forward voluntarily to take charge of the out-door poor. The establishments for giving in-door relief, such as the poor-house, the orphanage, the infirmary, the home for foundlings, the refuge for the homeless, and the temporary smallpox and cholera hospitals, &c., are all in a satisfactory condition, but not more so than is the case with such institutions in other towns. On the other hand, the out-door poor-relief bears a more peculiar character from its method of individual supervision, which only became possible because the number of those undertaking the care of the poor was large in proportion to the number of poor to be cared for, and that their service was voluntary. As in the art of healing the body, so also in the endeavour to improve the moral state, it is the power of taking a

kindly interest in each individual case which has the greatest influence. Not only is much money saved by the greater expenditure of mental power and sympathy, but, what is infinitely more important, the help so given does not extinguish the hope of a brighter future, as is the case too often with mere heartless parish relief. The bodily wants are supplied without destroying that invaluable hope of the poor man, that he may yet by his own efforts rise again to independence. The distress of those capable of work is not treated as if it were an incurable disease, and as if it were only necessary to keep the patient alive from day to day, no matter how; but it is looked upon as an exceptional condition, the care of which should be carefully and scientifically considered, that the patient may return to the normal condition of self-support.

The town of Elberfeld, as regards the care of the poor, is divided into 252 quarters, arranged according to the number of houses they contain, and having one visitor for each quarter. According to sec. 15 in the new instruction of the 4th January, 1861, no visitor is to have more than four families under his care; in practice it resolves itself into the care of two poor persons, so that a much occupied man of business may be able to combine the duty of personal supervision of the poor under his care with the duties which he owes to his family and calling. On the other hand, it becomes possible to go carefully into the circumstances of the person seeking relief, which could not be done by paid officials, and would not be to be relied on, if it could be done. In

order, if possible, to carry out this important principle, those quarters in which a greater number of necessitous persons congregate are relieved by making over the care of a certain number of the poor to less burdened quarters in the same district. An officer whom we may call the head of the district is the medium of such transfers, either on his own judgment or at the request of a visitor. Departures from this rule are admissible in times of extraordinary and general distress, especially when the head of the district and the visitor of the quarter are agreed; for instance, when there are cases of distress of a merely passing nature, or when there are many old, or either partially or totally infirm persons whose simple circumstances may be relieved by a continuous allowance of an even or slightly fluctuating value. In accordance with sec. 9 of the order with regard to the poor of the 9th July, 1852, revised 4th January, 1861, every request for relief from the funds of the town is made through the visitor of the quarter. The visitor must at once inquire personally and carefully into the circumstances of the case. If he is thus convinced that it is one giving a claim to legal relief, and also that the distress is pressing, he may give immediate help without further question. Such help is, however, to be looked upon as always exceptional, and to be given in very small measure. In all other instances, the visitor is to lay the case before the next district meeting. He must, also, do this as soon as possible after giving relief provisionally in urgent distress. Relief in money without any security for its return is only permitted where there is danger in delay, and

then of the smallest amount and for the shortest space of time. This is to guard against arbitrary indifference, or that soft-heartedness which only pampers misery instead of striking at its root. In every case where there is no absolute danger in delay, and where the relief is to last for more than 14 days, it is to be granted by the district meeting rather than by the visitor; even so, however, for not more than two weeks at a time.

A district consists of 14 quarters, and as the town is divided into 252 quarters, there are generally 18 districts. One of the heads of the district (chosen, like the visitors, by the meeting of Town Commissioners) is chairman for three years. Each fortnight he calls a district meeting, at which the relief questions of the 14 visitors are discussed. The principles of granting relief, and its general compass, are arranged by the board of management, either independently or with the consent of the meeting of Town Commissioners. The board of management consists, besides the chairman, of four commissioners, and of four citizens qualified to vote, who are elected for three years by the meeting of Town Commissioners. The Burgomaster is chairman, or a colleague appointed by him, or a member of the board of management, specially appointed by a resolution of the Town commission, with the consent of the Burgomaster. At the present time, the last of these three cases is the actual one, as neither the Burgomaster nor one of his colleagues, but Geh. Kommerzien Rath Daniel von der Heydt, is chairman.

This central authority, which controls the care of the poor for the whole town, and consequently superintends

the establishments for in-door relief, holds a meeting every fortnight. The heads of the 18 districts attend at this central meeting to lay before it their reports, to give explanations, and to refer to it any resolutions of the district meetings, about the expediency of which they may have any doubt; also to receive money and grants in kind, according to the admitted necessities of their districts. Thus, the highest authority regarding the poor has an opportunity of urging or restraining the zeal of individual visitors, through the medium of the head of each district; the latter reports the actual condition of the poor twice in every month, and at the same time he is not only furnished with money and other means of relief, but is impressed with the spirit in which distress should be treated.

The principles on which the grant is made, naturally depend in Elberfeld, after certain given rules, on the general laws of the State. By these it is laid down that all persons in distress who have the right of domicile are entitled to relief from the town; on the other hand, the town is not to step in unless those more nearly bound, such as relations, either do not exist or are incapable of providing it. To inquire into these conditions is therefore the first duty of a visitor when applied to for help. Then follows the question of the number of those requiring relief, their capability for work, the more or less insufficient income of the family or the individual to be relieved. Relief is given either by being admitted into one of the establishments for the poor, or at the dwelling of the recipient. In the latter case this would consist

either of soup, clothing, and bedding, indispensable articles of furniture, free instruction at school, medical attendance and drugs, burial free of charge, or else of relief in money. The district meeting must decide between money or grants in kind, according as the one or the other seems most suited to the particular case. If money alone is granted, the following scale is observed as the rule :—

Sgr.		*s.*	*d.*	
25	or about	2	7½	for the head of a family.
19	,,	1	11¾	for a wife living with her husband.
17	,,	1	9¼	for a child over 15 years of age.
15	,,	1	6¾	,, ,, 10 ,, and under 15
11	,,	1	1¾	,, ,, 5 ,, ,, 10
9	,,	0	11¼	,, ,, 1 year ,, 5
6	,,	0	7½	,, less than 1 year old.

Thus ℳ3 12 sgr., 10*s.* 7½*d.*, is the usual maximum for a family consisting of as many members as are mentioned above ; 25 sgr., 2*s.* 7½*d.*, for a single person. This maximum may not be exceeded without the consent of the board of management. It is fixed rather too high than too low, as appears from sec. 36 of the instruction of 1861, which says, "If the income of the applicant does not reach the amount mentioned in sec. 3, an allowance from the public purse is under certain circumstances to be granted. But this is hardly sufficient to justify the grant. Such a conclusion is barred by the fact that, as daily experience shows, in the case of many respectable families of this place, an income from honest labour which does not equal that mentioned in sec. 3, suffices to pay necessary expenses and also to defray communal taxes." We may therefore question whether it would not be more just to

fix the normal maximum of relief as nearly as possible at, or even a particle below, the normal minimum, which is found, by observation on the spot, sufficient for maintenance by self-support. It is well known in Elberfeld how much depends on not making the bread provided by public money sweeter than that gained by honest labour.

Every citizen who has a vote is bound to accept the duties of visitor or district chairman, if elected. So great an eagerness, however, is manifested for this calling that it is scarcely ever needful to apply legal coercion. This may be accounted for by the peculiar condition of a manufacturing town; its weal or woe depends on the state of a few large trades; these may at any moment be disturbed in their economic relations by a war, however distant, by some fresh duty imposed by this or that State, or by some new discovery, and it has no rich foundations of the olden time to stem the tide of misery. Here every man feels it a matter of vital self-interest to oppose the threatening calamity; and thus in Elberfeld, as in other places, necessity became the mother of invention. Without this necessity other towns may be slow to follow her example, though it is a lesson for all, however circumstanced.

Voluntary service is not only useful through its power of entering into details, examining carefully every case of distress, and unintermittingly requiring proof of the necessities of the applicant, but it also gradually rouses all persons possessing property to understand the right way of treating the poor; and under this system begging may be first checked, then stamped out, by the only

sovereign remedy, an unconditional diminution of alms-giving. All things considered, Elberfeld is, perhaps, more free from begging than any other town in the country. In this way even the hand which gives charities in secret, that right hand which, in Gospel phrase, suffers not the left to know what it does, will be guided by the consideration of results, and by that action for the public good which can alone be called charity.

It is difficult, as yet, to judge of the effect of individual character on the working of the Elberfeld system. To infuse into it and maintain the right spirit, must depend much on the judgment, impartiality, and strength of will of the person placed at its head. So long as the founders of the institution remain in their places, we can scarcely decide how much belongs to individual merit, and how much to a system which may be carried out in any place.

But this much is certain; the main conditions of success have been made by the founders a part of the institution itself, and with moderate good fortune in the choice of their successors, we may trust that these will remain unshaken.

CHAPTER V.

THE TOWN OF BREMEN.

[By AUGUST LAMMERS, of Bremen.]

IN Bremen, as everywhere else, the Reformation loosed the band which had united the care of the poor to the Church, but without breaking it entirely. Its administration was transferred to the laity, not in the narrow spirit of a State Act, but in accordance with a decree of the Evangelic Church of Bremen in 1534. It was managed by laymen, who were, however, connected with the clergy, being the so-called deacons of the different parishes. The means at their disposal for relief were the alms given by the inhabitants of the communes, consisting partly of collections in church, and partly of those made in quarterly visits from house to house, to which were added more and more frequently occasional gifts and legacies. At first every deacon was merely recommended to visit the poor under his charge diligently, but in the year 1658, and even earlier, the management of the poor had become a serious business; it was found necessary to divide each of the four reformed parishes of the old town into four subdivisions; it was arranged that each visiting deacon should give a monthly report to the principal deacon of the parish; that parochial meetings should

be held once a month; and that general visitations of the poor should be made once a quarter. For the temporary reception of strangers and sick people several almshouses were established; and there existed also the St. Johannis Kloster, in the benefits of which an interest might be purchased. Still there was no organisation or unity in the management of the poor throughout the town; but many efforts were afterwards made towards this object by erecting central asylums for the sick, orphans, &c., and in 1698 a central poor-house. It was hoped that for the future all paupers might be received into the latter instead of being supported in their own homes. The citizens, including those of the New Town and the suburbs, were now obliged to pay their charitable offerings at a general meeting, after deducting what was necessary for those poor who were still more or less relieved in their own homes. During the next half century there were numerous financial difficulties, and extraordinary collections, lotteries, &c., were not enough to supply the oft-recurring deficits.

The Lutheran Commune belonging to the cathedral was also a cause of disunion, its position being difficult enough, as from 1648 to 1803 it belonged politically to Sweden, then to Denmark, and lastly to Hanover. Its citizens were called upon to contribute to the general support of the poor in the town, and at the same time to support their own Lutheran poor entirely unaided; this caused many bickerings, and, therefore, after an attempt to associate them in the general administration, they again became independent.

Towards the close of the 18th century some sort of reform was greatly needed; amongst other abuses, relief

when once granted was often continued in the most wasteful and careless manner, even when no longer required, and, on the other hand, those in distress might be left to starve or become beggars during the interval from one monthly session to the next. At length, in 1779 a new Poor Law was passed, which reversed the false principle of the law of 1698, namely, that of trying to collect all paupers within the poor-house. The care of the out-door poor was now looked upon as a distinct branch of the arrangements; the Lutheran community of the cathedral were no longer left to themselves, but their poor were included in the general administration; and instead of the quarterly collections which were usually insufficient, weekly subscriptions of certain sums varying from ½*d.* to 9*d.* were made, though the obligation to pay seems to have been conventional, not legal, and every one was obliged to take his turn in making these collections.

In spite of this, however, the finances were not as prosperous as might have been expected; and, in 1792, a new order fixed the weekly collections, which had already risen to double their first amount, at such a sum as would bring in a certain annual income, so that a regular budget might be prepared. It was threatened that the name of anyone declining to promise his contribution should be published, and if the whole sum contributed did not reach 20,000 thalers (3,000*l.*), the introduction of a formal poor-tax would be the consequence; the latter threat was from this time constantly repeated, whenever larger contributions were required.

The town was divided into 32 districts, and a district deacon appointed to each, who was to receive the weekly gifts and take care of the poor. Eight deacons, of whom four were of the Reformed Church and four were Lutherans, superintended the whole; and a new office, that of general administrator, was to be held by each of these in turn for six months. Four senators formed a directory, each taking his turn as chairman, in like manner, for six months.

The French Revolution and the days of foreign rule in Germany, and the restoration of Europe to its olden condition, were not favourable to the further development of the Poor Law; but, on the 23rd of April, 1829, a new law was passed, which is the legal foundation of the present system in Bremen. By this law the weekly collections were continued, but with such stringent rules that they formed, in fact, a regular poor-tax, and a workhouse was erected, which was completed in 1831.

The Poor Law Institute only takes charge of the citizens of Bremen, or those belonging to them dwelling in the town or its suburbs; and of these only when the persons on whom this charge legally devolves, such as parents, children, and brothers and sisters, and the Security of newly-made citizens, are unable to do so. There was one bar to free settlement, which is now withdrawn; if anyone wished to become a citizen of Bremen, he was obliged to get two citizens to answer for him; that is, they undertook, in case of his becoming destitute during the first ten years of residence, to provide for his subsistence.

The new law recommended to the authorities economy and care in managing the means at their disposal, and

particularly warned them not to anticipate the money required for the next year, or to encumber the Institute with debts. The income consisted of the general subscriptions, to which everyone not actually poor was to contribute one groat per week (one halfpenny) or three-fourths of a thaler in the year, of collections in church, &c., and repayments for relief received.

An important provision was made in the way of giving relief, which may be looked upon as a precursor of the English Poor Law of 1834. It was this; any able-bodied person seeking relief was to earn it in the workhouse, and would only receive, if his earnings did not suffice, a proportionate addition to his pay as an extra gift. The workhouse was thus made a house for compulsory labour, to which beggars, and idlers of all kinds were to be sent by the Poor Law officials, as well as by other authorities in the town; and it was also a place in which those who were unable to earn an independent living were received, but, at the same time, were set to work at some productive employment, at a lower rate than usual. The inmate was obliged to submit to the rules of the house, which he was at liberty to quit at any moment, thereby, however, forfeiting his claim to relief. This plan of compelling all able-bodied poor to enter the workhouse is one which can hardly be carried out strictly in Bremen any more than in England. It is a system which compulsory relief and an open or disguised poor-tax naturally tend to produce, but the variety of modern life and the growth of humane feelings present a powerful obstacle to its adoption.

The law has been evaded in Bremen in a variety of

ways, and first by the so-called Registered gifts, or monthly allowances of money, those eligible for which must be incapable of work through age or infirmity; they were called registered gifts, because the answers to a certain number of set questions were written down, in each case, on a printed form. Besides the allowance in money, these poor persons sometimes received gifts of clothing also. For certain cases not eligible for these registered gifts, there were sums of money which might be applied under the name of Extra gifts in giving money during illness, lending beds and bedding to aged persons, paying fees for learning a trade, and in many other ways. Besides these extra gifts, children were sent to school free of charge, sick persons received medical attendance and drugs gratis, or were received into the hospital.

Having sketched the general principles of the Poor Law in Bremen, we must give some account of its organisation. For immediate communication with the poor, there are 40 so-called district deacons, who are assisted by 5 paid officers of a lower grade. Each deacon has a district allotted to him within the territory of the town. Their first duty is to consider the claims of those applying for relief and to visit them, sometimes in individual cases, sometimes as a general visitation in the spring and autumn of every year. They are allowed to grant extra gifts up to half a thaler (about 1*s.* 6*d.*), on their own responsibility, but only once in a month, and not more than three times a year to the same person; and they may order free medical or surgical attendance and medicine gratis. Anything further is to be brought before the principal Institute

deacon, and eventually before the "Session." Together with the 40 district deacons, who are in fact the real relieving officers, there are 12 deacons of the Institute, 10 of whom are placed one over every 4 districts, whilst the 11th has under his charge all the poor who are boarded with families in the country, and the 12th superintends the arrangements generally, under the title of general administrator. They form with the 4 senators charged with the management of the Poor Law, and of whom one acts as director of the Institute, the so-called Session, on whose decisions the acceptance of paupers as Registered or Institute poor, and generally the whole regular relief, depend.

It is the duty of the Session, says sec. 60, to find out the causes of poverty, and should this arise either from want of opportunity of work or from indolence, they must endeavour to find work for the claimant of relief in the first instance, and to keep him to it in the second instance. They are also to take care that the extra gifts (intended to help people in temporary distress) should not be turned into a species of permanent support; both tolerably hard tasks for a body of men who meet only once a month, and are charged with the superintendence of the poor-relief throughout the town.

The so-called medicine tickets which provide medical attendance and drugs gratis, are only to be given at once to those already on the list of Institute poor; they may however be given to others (valid for three days) after inquiry by the district deacon as to the real need for such help. It seems that this rule has by no means been

strictly observed. Instead of making any previous inquiry, unconditional trust has been placed in the assertions of the claimants themselves.

The number of officials was naturally greater, in proportion to the number of poor 40 years ago, than it is now. The population of the town was then about 43,000, but on the 3rd of December, 1867, it was over 74,000. Admitting that 16,000 of the latter number are not members of the State, and therefore not chargeable to the Poor Law Institute, one may still conclude that the number of inhabitants on an average in each deacon's district is half as many again as formerly, and the number of poor must have increased in much the same proportion; consequently the policy of the law of 1829 would seem to require that the number of deacons should be raised from 40 to 60. It has been generally observed that the deacons being occupied with their own business would find it almost impossible to inquire personally into the circumstances of the poor; and in fact they often considered themselves justified in trusting to the overseer's report, so that an important part of the care of the poor fell into the hands of these badly-paid lower officers.

The success which has attended the attempt in Elberfeld to put a proportionately large number of persons in charge over a small number of poor, makes the inhabitants of Bremen eager for a similar reform in their own town. If the activity of poor-relief be measured in this way, Bremen would be to Elberfeld only as 1 to 4. The proportion would be as 1 to 6, if the persons who are not citizens be taken into public relief. It would be also

needful to include all, strangers as well as citizens, in the general care of the poor. This must soon be the case, not only for the sake of the general welfare, but also as a matter of justice, since strangers are by no means exempted from the duty of paying taxes, and thus bear the burden of citizenship without benefiting by its privileges in time of need.

If the number of those in charge of the poor is increased, the circle from which they are chosen must also be wider; at present, the deacons are almost all young tradesmen and lawyers just starting in life. No one could maintain that this class would make particularly good relieving officers. They cannot, on an average, have much general experience of life, and still less practical knowledge of the trials of the poorer classes. A man of sense and probity would necessarily be much occupied with his calling, and a less estimable character would not probably be very useful in the service of the poor. At any rate, those of other classes and ages ought to be admitted to help in this great social task, and if they are resolved not to supersede the class which is now alone concerned with the matter, they might, at least, render a most useful supplementary help to the services of the deacons. The election of the latter by the parishes, which rests on no grounds of reason, but simply on traditional usage, must also be given up if a demand is made for the co-operation of the independent classes.

Supposing the number of the deacons to be increased, some intermediate agency would be needed as a medium between them and the Session. The latter seem at pre-

sent overwhelmed by the duty of granting so many separate items, and it is impossible for them to inquire minutely into the necessities of individual applicants. But if the Session voted gross sums subject to specific appropriation by the intermediate agency mentioned, a due supervision of single visitors would be secured, and a more minute attention might be bestowed on the whole business. The duty assigned by secs. 60, 62, to the Session might be entrusted to a more capable and better circumstanced instrument.

Sittings of the Session and of the intermediate agency might be held once a fortnight, instead of only once a month; for there were fewer changes forty years ago in the course of a month than there are now in the course of a fortnight.

The statistics of nine years, ending with 1868, show that the expenditure has increased, but the receipts from the weekly collections have not increased in proportion, and the sources from which the deficit is annually supplied are gradually diminishing. In 1860 the receipts were 40,390 gold dollars, and the outlay 43,712; while in 1868 the receipts were 51,159, and the outlay 59,505. The total excess of expenses over receipts for the nine years was 48,631. In Bremen the amount of individual income tax is concealed by oath. But the gifts to the Poor Institute from the incomes which pay taxes amount to 0·39 per cent. upon them, while they have previously been 0·64 per cent. That part of the yearly deficits which is not made up by subsidiary means, as by interest, occasional gifts, &c., is met from money be-

queathed to the poor, which now amounts to 4,250 gold dollars.

A great many charitable establishments, as well as societies for helping the poor, exist in Bremen. It is most difficult to obtain a synopsis of them, especially as the class inspection of the Urban Poor Relief Board has not yet extended to them. Yet, without such a survey it is impossible to have a complete view of the grade and results of the public poor-relief system. Several charitable institutions (chiefly asylums for orphans and the aged) have, however, been given up to or work in connection with the Poor Law Institute.

Of the more modern charitable societies, one called the Beneficent Union, "Verein zum Wohlthun," has attracted much attention; it was founded by some young people in 1804, with the hope of supplying the deficiencies of the public poor-relief, by giving small weekly allowances to the old and the sick. This society has in the course of time gained some importance, as it was the means of satisfying to some extent those who were eager to take part in the poor-relief executive functions, in a circle wider than that prescribed to the deacons. In case the number of officers employed in public relief was increased, its efficiency would probably be the next considered. The same remark applies to a Union for relief of the sick which has lately been formed, and which operates in the same field as a still later Institution to provide for lying-in women. Both, as might be supposed, are under female management. Soon after the close of the war of Liberation, female societies were formed for nursing the

wounded, and when their first aim was fulfilled they took up the poor-relief of the district. Their chief means are derived from yearly exhibitions of fabrics made by women, and supplied gratis. In case the town relief were re-organised they would, with the above-mentioned Union, afford a handle for the systematic and regular employment of female assistance, which the Relief Executive, far from excluding, rather calls forth. Together with all these unions and institutions, individual charity is of course also at work, but no estimate can be formed of its operations.

A report of the Session in 1868 contains the remark "that since help must often be given without delay, con-"trol over the claimant is consequently difficult, but it is, "nevertheless, better that relief should sometimes be misap-"plied, rather than that anyone really in need of medical "help should fail to obtain it." The wisdom of this principle seems somewhat doubtful. With proper organisation, strict control which is so indispensable, might well be attained even in this branch of administration; while the misapplication, which in the absence of this control has made its way, has already acquired considerable dimensions: this is at once apparent to the experienced eye from the fact that two-thirds or three-fourths of the recipients of relief are supported in this manner only.

A revision of the law of the 23rd April, 1829, and a plan for thorough reform, is speedily to be taken in hand by a commission of the senate and citizens. The leading features will probably be the following: To include all dwellers in the town, whether citizen or not, in the general

relief; to unite in the general organisation all charitable institutions and societies, which are in any way connected with the public care of the poor; to add to the number of actual visitors from all the self-supporting classes of society; to associate women as well as men in the work, their influence being considered desirable; to transfer to the lowest body the inquiry and management of each particular case; to establish some intermediate authority between the actual visitors and the highest department; to make a more strict definition of the need of relief, as well as to consider the means of carrying out this idea practically; and to abolish all compulsion in the regular public collections. This is but a general sketch of the contemplated reform.

CHAPTER VI.

THE KINGDOM OF BAVARIA.

[By PROFESSOR MAKOWICZKA, of Erlangen.]

HISTORICAL RETROSPECT.

1. IN Bavaria, as in other parts of Germany, the legislation now in force on the subject of the poor may be traced to the laws of the German Empire, more especially to a resolution of the Diet at Lindau in 1497, and the police regulations of the following century. By the resolution of the Diet none were allowed to beg except poor and feeble persons, and children of beggars were to enter a craft or service of some kind, as soon as they were capable of earning their bread. The Governmental police regulations above mentioned enact that every commune should maintain its own poor, which, however, was understood to mean that the different communes were to allow such of their own poor as were incapable of work to collect alms within their limits, and were also to admit them to the local asylums. Overburdened districts might grant certificates to such poor as they were unable to support, giving them leave to solicit alms elsewhere; but with this exception strange beggars were not tolerated. The code of 1616 for Upper and Lower Bavaria embodied these

provisions with some additional enactments. In the first place the settlement of the poor was regulated by reference to birth or residence; moreover the certificate system was so modified that begging might be authorized over the whole judicial district, but the authorities were instructed not to give certificates without careful inquiry, and to review all the cases every year. Almsgiving was not made compulsory; but collections in churches were to be set on foot, and the duty of charitable works was to be enforced from the pulpit. It was furthermore ordered that the authorities should exercise a diligent supervision of the administration of relief in asylums and elsewhere, and should revise accounts. Lastly, the common people were required to keep their children employed in learning, labour, or service, or in case of difficulty to inform the authorities, who were thereupon to provide the requisite assistance. It was in general terms the duty of those in authority to make sure that young unmarried persons hired themselves out, and that older persons, idle and without means of support, were kept to work.

Such was the condition of the Bavarian law when the criminal code of 1751 made its appearance with its positively Draconian enactments on the subject of beggars, especially those not belonging to the country. Foreign beggars were branded and expelled. Should they return they were put to death without mercy, men by hanging, women by the sword. Native beggars were, on a first offence, severely flogged and set to work, or sent to their place of birth; on a second offence they were confined to the workhouse for a year and a day, and flogged every week.

Unlawful almsgiving was punished by a fine of 40 rix-dollars.

After certain enactments made on the 27th of July, 1770, and the 3rd of March, 1780, a new principle came into operation, namely this, that the commune should maintain its own poor in its corporate capacity, and communal aid should supersede the relief obtained by begging. The communes were further required—where there were persons who, from the number of their children, or for other reasons, appeared unable to maintain themselves, to provide relief according to the circumstances of the case, and especially to afford a lodging at a moderate charge. It was also ordered that overburdened communes should be assisted by the whole judicial district, the expense being defrayed by a system according to which the amount of a man's contribution was to be determined by his judicial status. At the same time, some districts which proved legally that they received no extraneous contributions were relieved from the duty of making any. A State relief fund for the poor was already established to aid the communes to which, from the middle of the 18th century, income was assigned by various resolutions and mandates. The decree of the Franconian circle of the 24th March, 1791, is remarkable to the effect that each province and district should provide for its poor, allow no beggars, keep able-bodied paupers to work, punish strange beggars with the stick and deliver them to their authorities, but in case of repeated offence shut them up in a workhouse. In this circle, too, there was talk of founding a common workhouse and house of correction, but nothing came of

it. The organic law of February, 1808, arrested the course of development above described. The business of poor-relief was taken away from the communes and districts, and transferred to the State. The new arrangement, however, only lasted till 1816, when the old law was restored.

2. A new period was introduced by the ordinance of the 17th of November, 1816, by which, in spite of some variations, the main features of the Poor Law were regulated, on the east side of the Rhine, until the promulgation of the law of the 29th of April, 1869. The law of 1816 makes the following provisions with regard to the conditions under which relief is to be given :—Native poor who are not able to procure the necessary means of subsistence, either alone or with the assistance of such other persons as are by law bound to provide it, are the only persons who have a claim to relief. Those only partially able to earn their living are only entitled to ask for so much as is required to make up the deficiency. Able-bodied applicants who want the requisite skill for undertaking employment are to be put in a position to acquire it; young persons, for instance, are to be apprenticed to some trade, or sent out to service. If it is not skill but opportunity that is wanting, this must be procured them; if other means fail, they may be furnished with work provisionally in an establishment for employment of the poor. When able-bodied paupers refuse to work, force must be applied; if further measures are necessary they must be sent to the house for compulsory labour. Foreigners staying in the country can only claim such immediate assistance as is

required in case of illness or accident. Such claim as exists to public relief is not to be regarded as the subject of a legal right, enforcible by action. If a person not really poor is relieved by mistake, he is bound to restore what he has received. Similarly, persons who have neglected their duty of relieving such poor as the law or their own engagement obliges them to assist, are bound to indemnify the public officer who, in fact, affords relief.

Public relief does not go beyond providing the poor with what is absolutely necessary, for example, lodging, fuel, food, and clothing; the sick poor, including lying-in women, receive bedding, attendance, medical assistance, and drugs; aged persons, and those feeble in body or mind, including the blind and the deaf and dumb, are provided for in hospitals or asylums for the purpose; poor children receive education and instruction, including the means of acquiring a knowledge of some trade or useful occupation: such poor as happen to require it are allowed legal assistance, free of cost; finally, deceased paupers are interred and funeral service is performed.

The duty of relief lies only on the commune where the poor person is settled. Casual stay gives no claim, except in cases of immediate necessity, especially where the cause is temporary illness or incapacity for work, and then only to the extent absolutely required. Even in these cases, the expense is not borne definitively by the relieving commune, except when the person relieved is staying within its limits in the course of his employment as a servant, apprentice, trade assistant, or factory workman,

or else contributes to the local poor-fund in obedience to the law. In the first case, the commune may demand from the person relieved, through his master, a contribution determined in amount by the nature of the relief afforded, but in no case more than three kreuzers a week; and his employer is in the position of surety for the payment. In other cases, the commune giving relief may demand compensation from the commune of settlement of the person relieved, or directly from the individual bound to bear the expense. In respect of particular institutions for relief whose objects are not merely local, the burden does not fall on the commune but on larger divisions, such as the district for workhouses and poor-houses, the circle for lunatic asylums, lying-in and foundling hospitals, and some other similar establishments belonging to the circle; some classes of poor are supported by the State treasury, those, namely, who not being able to show any regular settlement have a settlement provided them, or who are detained in reformatories or places of penal confinement. Needy and overburdened communes are supported by the district generally.

Relief usually consists of weekly gifts of money. Occasionally, however, it is given wholly or partly in kind; in the country especially, relief in kind is recommended as more suitable. Sick poor are relieved at the cost of the commune either by medical attendance and necessary drugs furnished at their own homes, or by admission to a public hospital. Poor children who are without parental care are placed with trustworthy foster-

parents, who engage to educate and support them till they are capable of earning their own living.

In respect of ways and means, poor-relief is dependent on the proceeds of communal property set apart for the purpose, that is, of the local poor-funds. These funds are treated as persons by construction of law, they have a legal succession to the assets of paupers who have been supported out of them, in cases where there are no necessitous heirs to the property. Poor-relief depends further on the proceeds of the district poor-funds, on the produce of charitable endowments and other property appropriated to this purpose, especially surplus investments of Poor Law money, on voluntary donations, on some local taxes, on certain penal fines. Further recourse may be had, if necessary, to the surplus moneys of the communal purse and ecclesiastical endowments, and, as a last resource, a direct levy may be made upon the inhabitants of communes or districts; in which case those bodies may, if they please, themselves direct the assessment.

Relief is administered by the boards for poor-relief. The local board consists, in chief towns, of the royal Urban Commissary (in Munich of the royal Director of police), of the burgomasters, of three or four magistrates deputed by the magistracy, of all the clergy, of the City judicial physician, and of four to eight of the chosen deputies of the classes who are bound to contribute. In the country the board consists of the communal committee, with the clergyman of the parish for chairman. In towns, except in Munich, where the Director of police

legally presides in virtue of his office, the boards choose their own chairman. The district board consists of various district and local officers, including the clergy, who meet once a year and appoint a working committee of from four to six members, partly out of their own numbers.

The board has the management of all Poor Law property, except charitable endowments, which are managed by special officers, who, however, take part in the deliberations of the council for aiding the poor. The board makes yearly estimates, and directs the collection, application, and accounts of the money at its disposal. The estimates, as far as expenditure is concerned, are based upon an annual statement drawn up by the board, setting forth the extent, nature, and origin of the amount of distress which has to be relieved. The board decides when relief shall be granted and when refused, and, if granted, what shall be its extent and duration. It has also a kind of police authority over the poor, and, for this purpose, exercises inspection; to assist which, a person receiving relief is not allowed to leave his district without permission.

Voluntary charity, as ruled by Art. 24 of the Order of the 17th November, 1816, is not interfered with, but it is not allowed to exonerate a man from his ordinary Poor Law duties, or to contravene the policy of the laws against beggars.

In the Rhenish Palatinate, whilst the country was united to France, the Poor Law was regulated by the French law of 24 Vendémiaire II. (15th of October, 1793). This gave

a man a claim to assistance at the so-called "domicile de secours," that is, in the case of minors, the mother's domicile at the birth, and in the case of adults, a place determined by one year's residence, and registration. The French law was very much altered by legislation subsequent to the peace, and the Poor Law was made more like that of the country east of the Rhine.

3. *The Law of* 29 *April*, 1869.

The following are the most important of the modifications introduced by this law :—

Public relief shall only supply what cannot be procured from voluntary sources, and is therefore only subsidiary. —Art. 4.

Paupers who within five years acquire property, enabling them to compensate the Poor Law authorities for the relief they have received, are bound to do so.—Art. 5. The right of succession accruing to the Poor Law authorities on the death of a person whom they have relieved, is only valid where the following conditions concur : *i. e.* that the relief was given within five years before the death of the person relieved, and that there are no prior claimants, cohsisting either of poor kindred to whom the law gives priority, or of a charitable relief establishment.—Art. 7.

The commune of residence bears the expense of relief during illness, not only in the case of servants, commercial agents, apprentices, and factory workmen, but of hired workmen of all kinds permanently employed in the locality : but it only has to bear the burden for 90 days ; after that period the home commune of the sick person has to take him in, or to provide the expense of his

further relief.—Art. 11. If the commune calls upon the above-mentioned persons for regular contributions to a sick fund, as the law allows it to do, the relief given is not reckoned poor-relief, unless it lasts more than 90 days.—Art. 20. Moreover, upon the motion of the board of relief, large employers of labour may be called upon by the commune to set on foot collections for the purpose of affording their workpeople necessary assistance in sickness, for which purpose they may levy contributions from them. Where such an arrangement is in force, workmen who contribute are exempt from the obligation of keeping up communal contributions of the same kind.—Art. 21.

Claims for compensation on foreign countries, which are not sanctioned by treaties, or have not been prosecuted with success, will be satisfied by the State treasury.—Art. 15.

Persons who give private relief have no claim for compensation, unless the case was so urgent that there was no time to give information to the local board; even then they must advertise the board of the fact within 48 hours.—Art. 17.

Contributions in aid of the poor assume the nature of public taxes, inasmuch as the funds they supply, henceforth like excise dues and other taxes on luxury, are, expended for the wants of the community.

Some changes have been made touching the composition of the boards of relief: communes are divided into two kinds only, those with a civic constitution and those without; all are at liberty to determine how many members they will elect to the board, and appoint them

accordingly, without asking leave; where there is a civic constitution there is no State officer on the board, nor at Munich is there the Director of police, but if there is a director of matters relating to Jewish worship, he is a member; the burgomaster in towns and in all communes of the Palatinate is chairman; in the country a clergyman is chairman, and when there are several clergymen, then the senior of the religion of the majority. In the country communes on this side the Rhine, where the committee of the commune, with the clergyman, used to manage relief matters, a special council of relief is now formed as in the other communes. The board is chosen, always after the civic elections, in communes with a civic constitution, for three years, in others for six; the board may associate the directors of charitable societies of the commune, and may appoint inhabitants eligible to the board itself to discharge the office of relievers in particular localities.—Art. 22–24.

The sphere of operation of the board is more precisely laid down than that of the communal authorities, and it confers a larger discretion. The board may pay the necessary expenses of legal actions undertaken by poor persons for the recovery of property; where parents neglect the education of children for whom relief is given, it may take the children away; and it may move for the appointment of guardians for prodigal persons.—Art. 27–37.

With regard to districts the rules as to relief have been laid down more precisely, and to workhouses and sick-houses have been added poor-houses, poor-colonies, and

schools for neglected children. The care of the relief for the district is dealt with like any other business of the district, and belongs accordingly to the department of the district council and district committee. Hence there is no special district board for relief. The district physicians, however, and two independent clergymen of the district, chosen by a majority of the committee for the purpose, attend and vote at the deliberations of the district committee.—Art. 38–40.

One of the functions of the circle in connection with poor-relief is to found and keep up poor-colonies. Besides this, the magistrate (Landrath) who presides over the circle determines at the regular yearly meeting whether any districts shall be assisted by the circle, and to how great an extent.—Art. 41.

Paupers who are guilty of disrespect towards the board, or who illegally sell or destroy articles which they are allowed to use, are punished with imprisonment for eight days, and on a repetition of the offence for 30 days: the same punishment is inflicted for 14 days, and on a repetition for 30 days, on those who refuse to work when in receipt of relief, or who at any time during the ensuing twelvemonth fail to find work suited to them, or to maintain themselves in a lawful manner. But paupers are no longer forbidden to quit their place of residence or the police district in which they happen to be.—Art. 44.

CHAPTER VII.

AUSTRIA.

[By Dr. Jur. F. Kleinwächter.]

Austria, understanding by that term Germano-Slavonic Austria, to the exclusion of Hungary, the Military Frontier, and Dalmatia, furnishes no exception to the rule that in Europe the care of the poor, if it did not originate with Christianity, has at least been powerfully stimulated by it. Alms and endowments with this object have been furnished by all ranks of society, especially by the clergy. When the Crusades came, and with them pilgrimages to the East, public relief was further promoted by the erection of hospitals and houses for sheltering pilgrims. Numbers of these made their way past Vienna, and considering the fatigue and sickness occasioned by the journey, and the contagious diseases which were often brought back from the East, we need not be surprised if it was soon thought necessary to build a hospital.

On the 27th of May, 1211, a charter was given by Duke Leopold the Sixth, at the instigation of his body physician, Master Gerhart, to the Hospital of the Holy Ghost in Vienna, erected for the purpose of sheltering the infirm poor, and fitted up after the example of the Hospital of the Holy Ghost in Rome, founded in 1204, near the Church

of Santa Maria in Sassia. Shortly afterwards the town of Vienna founded another hospital, in honour of the Holy Virgin and all the Saints, which, in the oldest known German record of the year 1289, is called the Bürger Spital, or Burghers' Hospital. It was erected, so it was said in an address issued on the 29th June, 1268, by the master Heinrich and brethren, for the poor and sick of the town, or for such feeble persons from foreign lands as on arriving at Vienna found themselves without refuge or means of subsistence. Other institutions followed; in 1266 a hospital for persons afflicted with leprosy, founded by Gebhard, priest of St. Stefan; in 1327 a hospital for the sick, founded by Duke Frederick the Handsome, and others which I need not name.

It appears, in short, that during the middle ages hospitals in Vienna, as elsewhere, had no specific destination, but were intended for the reception of poor persons in general who required assistance on account of sickness, feebleness, or simple distress, irrespective of age or place of abode.

We have already spoken of private alms on the part of princes, nobles, the clergy, and others, but, besides these, we meet in the thirteenth century with this interesting phenomenon: secular brotherhoods were formed in Vienna with the object of collecting gifts to hand over to the religious houses with which they were in communication, for the support of the poor and sick; unless, as sometimes happened, they undertook the distribution themselves. These brotherhoods were the forerunners of the present well-known Poor Institute.

Up to the first decade of the sixteenth century, the Vienna institutions were everywhere supposed to furnish relief to inhabitants of the country, as well as of the town itself. The consequence was so great a press of applications as to call for repeated measures of defence. A patent of Ferdinand I., of the 15th October, 1552, lays down that none shall beg save the old and infirm. Beggar children, able to earn their bread, shall be set to manual labour. Every town and commune is to support its own poor, and able-bodied beggars from strange parts are to be severely punished. Communes who were utterly unable to support all their own poor were allowed to furnish paupers with certificates, afterwards called "beggar passes," which authorised them to beg elsewhere. The principle here for the first time enunciated, that every commune should see to the support of its own poor, was never afterwards lost sight of. A further patent of the Emperor Ferdinand I., of the 3rd November, 1662, enacts that the (manorial) authorities should be bound to entertain their sick and poor dependants in their own hospitals. Another, of the 8th April, 1682, provides that whenever, for the future, sick and poor persons should come to Vienna from other parts, they should be asked where they lived; and, in case it should appear that their lords had turned them away without due assistance, then not only should the latter receive severe punishment, but the poor persons should be sent back to the place they came from.

In the patent of the 12th February, 1695, it was ordered, in addition to a prohibition of begging, that those in authority should support their vassals and dependants,

and keep them to work, whether they be invalid soldiers, or other poor persons, male or female. Strange beggars were to be sent home, and no more admitted; the authorities in town, market, and village should arrest beggars and put them to hard work, except such as could bear military service, who were to be handed over to the recruiting officer, with a certificate that they were thus dealt with for the offence of begging.

Various patents enjoined the erection of hospitals and asylums.

A patent of the 17th January, 1724, contains a clear and systematic account of the principles which Charles VI. followed on this subject.

1. Throughout the whole country "below the Enns" general and particular inspections were to be had several times a year, with a view to abolishing begging. Beggars arrested should be examined, those who did not belong to the place sent home and referred to the local authority, whose duty it was to find work on the roads or elsewhere at moderate wages for those who could do it, and provide maintenance for the infirm.

2. Workhouses were to be set up both in Vienna and in the country, where orphans and other poor of both sexes, in separate places, were to be taught to read, write, and cipher, as well as to do some kind of useful handiwork, such as spinning, knitting, making cloth, or caps, for a small sum.

3 & 4. There was to be a special house for old soldiers, and another for persons afflicted with incurable diseases.

5. Periodical collections were to be made in churches

and houses, and the proceeds to be partly distributed among the deserving poor, partly employed in building a new hospital. Future receipts by way of fines should serve to form a permanent fund for the poor.

Similar provisions are met with in numberless ordinances of the times.

In 1716, it was ordered that no marriages should be celebrated, except where the parties could produce from their local authorities a certificate of sufficient means; and if married couples fell into poverty where such a certificate had been issued, that the issuer should find them maintenance and suffer severe additional punishment. In addition, the same authorities were forbidden to erect small houses to be rented by the poor.

We next come to a law of Maria Theresia, of the 22nd November, 1754. In this the poor are divided into three classes:—

1. Those persons who have settled in an hereditary territory, and have regularly acquired citizenship, or as inhabitants without residence have followed their trade or profession, and thus helped to bear their public burden till their distress began.

(*a.*) It is laid down as to those persons, that the citizens, in case they fall into poverty, shall be cared for in their place of abode at the expense of the city or place, or in hospitals, wherever such are to be found.

(*b.*) That mere inhabitants resident in one place for ten or more years, are to be provided for in the same way as actual citizens; but, if they have not remained in one place for ten years, they are to be sent to their birth-place.

2. Those who have been in service to a commune, or a private person, in one place for ten years. These are to be provided for by the local commune, or, if during the whole time they served the lord of the place, by the lord for the time being without assistance from the commune.

3. Those who have been away from their birth-place for ten years, or more, but have in the meantime lived in different places, are to be sent to their birth-place.

Earlier enactments against begging, and as to the removal of beggars to their homes, were renewed.

The patent of the 28th of March, 1750, ordered the erection and endowment of houses for invalid soldiers after the plan of that already built in Pesth, and the Empress by the patent of the 24th March, 1764, had in view the establishment of a foundling hospital. The prohibition to marry, by the Emperor Charles VI., in the case of persons without means, was renewed by Maria Theresia, in the patent of July the 1st, 1746, with the addition that in case of disobedience both husbands and wives should be punished, and the men fit for service sent to the army.

It is evident that up to the middle of the seventeenth century, the law was in accordance with mediæval notions, and every needy person, whether sick or not, was supported in the place where he happened to be residing. True, the police enactment of the Emperor Ferdinand I., of the 15th October, 1552, declares that every commune shall feed its own poor, but there is an exception made to the effect that communes unable to do this may give their poor certificates, and send them away. The

main object simply was to relieve Vienna and other large towns from the mass of misery which streamed in upon them from all sides. But in the latter half of the seventeenth century, under Leopold I., manorial and communal authorities are called upon, under penalty, to provide for their own poor, and remove strange beggars. Under Charles VI. and Maria Theresia these principles are carried further; by the former the needy and the means of relieving them are respectively divided into more distinct categories, while the latter introduced the classification which we have seen.

The second question in Austrian Poor Law was the question who should direct it. As to this Ferdinand I. declared, in 1546, that it belonged to him, as sovereign, to remove defects in hospitals in the interest of the poor and sick; and accordingly he claimed the right to supervise them; at a still later time the control of legal operations relative to the removal of beggars was in the hands of the State, as belonging to the business of police; and it is in accordance with this view that numerous Court Commissions were entrusted with the regulation of Poor Law matters. The administration, however, of single charitable institutions belonged to the commune both in Vienna and in smaller towns. However, the sources from whence were derived the funds dedicated to poor relief, were such that their administration required agents endowed with some independence; those sources were collections, endowments, legacies, increased levies on merchandise, fines, sales of privileges, of foretasting, &c.

The system of Poor Law now in force in Austria is one

whose foundations were laid by the Emperor Joseph II., whose efforts constituted a new era on this subject. The model which the Emperor had before him was the society founded by Count Bouquoy, in 1779, on his own lands, under the name of "The Neighbourly Love Association." Every estate belonging to the Count was divided into as many districts as it had parishes, every district to be under the control of the parish priest, a "poor-father" elected by the inhabitants, and an accountant. The parish priest regulated the payment of allowances, the poor-father took charge of them, and jointly with the priest distributed them to the poor, while the accountant kept a record of receipts and expenditure. The chief inhabitants collected the alms, the landlord having a general control over the whole.

In 1782 the Emperor summoned Count Bouquoy to Vienna, and entrusted him with the establishment of the so-called Poor Institute in Austria. Certain institutions already existing, including the brotherhoods already mentioned, were declared to belong to the Poor Institute, and the collection of alms was made more productive, persons being induced to promise periodical subscriptions. Before the allowances were distributed (in small daily amounts of from 2 to 8 kreuzers) a careful assortment of cases was made, for the purpose of distinguishing between different degrees, and rejecting unsuitable cases. The design of the Poor Institute was to relieve persons who could not be brought into the regular houses, not being in a state of complete destitution, so that the poor-houses might deal with the absolute paupers.

The Emperor at the same time undertook a fundamental reform of existing charitable institutions. Its execution in detail was entrusted to the Charitable Endowment Commission, acting under the Emperor's own instructions, as contained in the rescript of the 16th of April, 1781. Those instructions constitute the foundation of the present law, and run thus:—

As without properly settled principles the labour will be fruitless, I give the Chancery to understand what are the true principles according to which the labours of the Government and of the Foundations-Commission are to be carried out so as, under their direction, to make a whole.

1mo. Before all it must be taken as a fundamental maxim that in this matter the true support and need of mankind must be regarded without binding oneself to existing institutions; consequently, the general relief establishment has to consider first the deserted children, secondly the destitute sick, and thirdly the utterly infirm, or those who would be a cause of public danger or disgust.

Three things, then, are to be kept in view in order to the preservation of human life. The rules under the first head regard the preservation, care, and placing in the world of foundling children.

The first requisite is a well-managed foundling hospital, then a suitable place for the private lying-in of single women of every class; thirdly, to provide in the hospitals for all children born in the secret manner mentioned; fourthly, to see that all these infants should be immediately cared for, and distributed in the country to

trustworthy people for a fitting remuneration; as to keep them together in one house would be far too expensive, and at the same time disadvantageous in the highest degree, as it ought to be kept only for the sick, and for newly-arrived children who might remain at most two or three days.

In this distribution of the children special care must be taken that the payment for their maintenance be so apportioned that the mothers who take charge of them may feel the stimulus of self-interest, and may have very much at heart the good nursing of the children, and seek by the care which they evince to gain further confidence.

While such of these children as have attained their fifth or sixth year, and have become burdensome to the peasants, are to be placed with those in the orphanage and to be sent back to the house, as otherwise all alike would have been received there; still this must be confined to those who really have become burdensome, but those whom the peasants having received and brought up, may themselves wish to keep, are to be unhesitatingly delivered over to them, only with this difference, that as soon as a child is able to earn anything, the payment shall diminish and at a certain later age cease entirely.

In the orphanage the special training of children of both sexes must be to enable them to gain a living; still it must always be remembered that they are free and not subject to compulsion, and that they are to be considered by the Imperial rescript itself as legitimate, and next that except giving them a knowledge of religion, and of reading and writing German, they are simply to be employed

according to their physical constitution and their talents in factory work, mechanical employments, the fine arts, music, or (domestic) service, so that on attaining their eighteenth year, at latest, both boys and girls shall leave the house, and even before that age they may, on asking, be provided with the necessary papers and be sent off. As a matter of course the food, clothing, bedding, and the building itself, shall be arranged solely to promote health and strength, and everything costly, luxurious, or ornamental must be quite put aside.

For poor scholars who have distinguished themselves at school, and shown any uncommon talent, whatever their station, the foundation entrances in the academies (such as the Theresianum and others) are to be reserved, so that their talents may be put to the test, and they may be prepared for higher study and for further service to the State; but there must not be the least partiality or preference shown in this, and these advantages are to be given only to the most deserving, so that a good education may not be thrown away upon young people who have no capacity for rising higher, and becoming distinguished members of the State.

2do. For sick persons without any means of subsistence, hospitals already existing, and others which shall be devoted to that purpose, must be provided in sufficient numbers, and put into such a condition that everything tending to mere beauty and decoration shall be avoided, but nothing omitted which may promote a restoration to health. Lofty and airy rooms, a healthy neighbourhood, well-organised attendance, a staff of doctors and

surgeons, necessary medicine, the needful, not extravagant supply of economical but good food, simple supervision, the admission only of such as are really poor to the foundation (or free) entrances, but not of those who are not actually ill,—all this is needful; in short, everything must be considered which can assist the sick poor.

3^tio. As to the maintenance of such as are totally incapable, or detrimental, or distressing to the community in general.

Amongst the first, or incapables, are comprised those who by reason of age are so weakened in body and mind that they are quite helpless, and next those totally blind, dumb, or lame, who are either confined to their beds or can but just totter about. These must remain under the care of the communes to which they belong, and for them the local hospitals are to be reserved.

Under the head of those who are detrimental or distressing, I mean insane persons, and those afflicted with cancer, or diseases of that kind. These must be withdrawn from the company and the view of the general community, and maintained together in some remote hospital, to which no other sick persons are admitted, still less young people, or women during childbirth. To improve the condition of such persons, so that one or another may return to society, must be the first object. For the rest, they must be provided, according to their circumstances, with the least costly food and cheapest clothing, by the simplest management and administration, and with all needful attendance from doctors and surgeons.

In this special hospital, all, such afflicted persons, whatever their station in life, would be placed, but with this difference, that they may be separated according to their stations, and those of higher rank be provided with somewhat better food.

These are the principal points to be worked out.

We now come to the system of Poor Law at present administered in Austria, which, as we have said, was founded on the principles thus set forth by the Emperor Joseph II., and has not been materially changed by his successors.

It is looked upon as a leading principle that every poor person who is unable to earn his living, and cannot be maintained by his family, can claim to be supported in the commune to which he belongs in proportion to his proved necessities. Those who cannot be proved to belong to any commune are chargeable to the one in which they last resided.—Secs. 18, 22, and 23 of the General Communal Law of the 17th March, 1849. Paragraphs 119 and 120 of the same law declare the management of poor-relief and police to be the most important task of the chief person in each commune. State help is first given when the ability of the commune fails, and it is given in proportion to that of the country.

1. The Poor Institute, as we have already said, was first practised by Count Bouquoy at his domains in Bohemia, was then by Court decree of the 9th of November, 1782, extended over all Bohemia; then by the Court Resolution of the 2nd June, 1783, recommended for general adoption; and in the years following, up to 1787,

successively introduced into the Germano-Sclavonic territories of the Austrian monarchy. Its organisation is modelled upon that of Count Bouquoy's society, and the system of division into parishes. There is a Poor Institute in each parish, superintended by the parish priest for the time being. In the country the parish priest has associated with him two or more poor-fathers and an accountant, chosen upon an understanding with the priest himself by the chairmen of the various communes composing the parish, from amongst the most respectable, most worthy, and upright members of those communes. Money is procured on this wise.

(*a.*) By subscriptions, persons of sufficient means engaging to pay periodical sums.

(*b.*) By collection boxes carried round from house to house, to give an opportunity of contributing to persons of less means than the last mentioned.

(*c.*) By collection in church with the bell-purse and stick.

(*d.*) By testamentary gifts. By the decree of the Imperial Chancery of the 16th May, 1846, it is a rule of construction of wills that the expression "to the poor" shall *primâ facie* be held to mean the local Poor Institute. Similarly the Chancery decree of the 17th September, 1812, directs that when anyone inserts "his soul" as heir, without an express order for masses, two-thirds of the inheritance shall go to the local poor-fund of the place where the testator resided. Moreover, when one of the Catholic secular clergy dies intestate, a third part of his surplus property goes to the Poor Institute of the locality to which his church belonged if he had a per-

manent office in a church, otherwise to that of the place where he died. In Gratz the assets of deceased persons pay ½ per cent. of the surplus to the main poor-fund.

(*e.*) 1 per cent. of the net proceeds is paid to the same fund on voluntary public auctions of moveables and immoveables. If the property be moveable, the payment is to the poor-fund of the place where the auction is held; if immoveable, it is paid to the fund of the place where the property is. In Vienna 2 per cent. is paid.

(*f.*) Some fines for offences, such as for smuggling, go to the poor-fund of the place where the offence is committed, when the law makes no other disposition of the fine.

Before relief is given, particulars of the different cases are taken down by the poor-father, to whom applications are made for relief.

Relief is of two sorts; it may be in the first place:—

(*a.*) Mere temporary support given in case of some passing need, as, for example, on recovery from an illness. Every poor-office is enabled, year by year, to apply at pleasure a lump sum, to be determined by the magistrate, for relief of the kind last mentioned. It is also left to the poor-office to determine the amount of the separate allowances, but if the sums to be given to one person in the course of the year should exceed 10 florins, the consent of the magistrates is necessary. Such temporary relief, according to the Government decree of the 16th April, 1842, is only to be given to persons to whom no permanent relief has been granted.

(*b.*) Relief may be permanent, consisting of a so-called Poor Institute allowance. In a case of permanent need an allowance of this kind is given, the amount being such that the recipient is placed above the necessity of begging. A whole portion consists of about 3½*d.* per diem, but there are half and quarter portions. A whole portion in the time of the Emperor Joseph II. was undoubtedly equivalent to a third of a labourer's wages of that period, and was therefore sufficient. But it is quite insufficient nowadays for the support of one man in any of the larger towns, the day's wages of a labourer being now about one Austrian florin.

With regard to the distribution of portions, the following rules are in force: the whole portion just mentioned is only intended for poor children born in wedlock, not orphans, under the age of 12, and is meant to help poor parents in the support and education of their children. Assuming that a man and his wife in good health can support three children, and a widow one child, it follows that only the children of sick parents, or children in excess of these numbers respectively, receive the allowance. It is a condition that children of the required age go to school, and a certificate of attendance has to be produced.

The smaller portion of about 1¼*d.* is generally given at the first as a subsidiary support when a man is recovering from a state of incapacity for work, and also at the commencement of infirmity in people of from 50 to 60 years.

The half portion of about 2*d.* is, as a rule, allowed only to sick adult poor for the time of their illness if they are

cared for at home, also to children over 12 years old who are often ailing, and to those who are very infirm, or, lastly, to fatherless orphans.

Poor persons over 60 years old receive portions of about 2½*d.*

The whole portion of about 3½*d.* daily is, so far as the resources of the Poor Institute admit of it, given to persons of very great age, as 80 or more, and sometimes to younger persons, and such as are from illness quite incapable of employment, but who are still able to live without coming into an asylum.

In the country, where the price of food is less than in the towns, the portions may be reduced.

The portions are given on a particular day of the week, at a fixed hour, in the house of the parish priest or poor-father.

The receipt of an allowance constitutes no objection to the pauper's being received into an institution for the sick, but in such a case the institution itself receives the allowance as long as the pauper remains there.

In addition to the regular Poor Institutes, there exist, in different parts of the Austrian territories, institutes formed and kept on foot by private persons, which every year bestow fixed sums on needy folk, such as orphans, blind, deaf and dumb, penniless newly-married couples, and widows. These institutes are extremely similar to the regular Poor Institutes, and reports on the results of the two systems did not always, in the official statistics, distinguish between them until the year 1864, and no attempt is made here to separate them.

In the 20 years ending 1866, the number of Poor Institutes grew from 5,317 to 6,678, and the number of persons relieved from 161,051 a year, to 171,768, within the part of the empire we are considering.

2. Houses of maintenance (Versorgungshäuser).

Persons in a state of complete helplessness or infirmity, those from age or other reasons incapable of earning their living, poor persons afflicted with incurable complaints, all these are provided for (irrespective of creed) in asylums or hospitals. They receive there lodging, fire, light, and clothing, as well as medical attendance, including drugs. Poor persons in good health are given a money allowance, with which they can provide for themselves. Those who require no medical attendance live together in common rooms, men and women apart, where they employ themselves upon some work which does not disturb the arrangements of the house, and so earn some additional income. Besides this, they are employed upon all the domestic work required in the institution, at fixed wages. These houses of maintenance being uniformly local institutions, no one is admitted into them but with the sanction of the proper communal authority upon the application of the administrators of the Poor Institute. It is, however, always necessary to find out first whether the candidate for admission is entirely incapable of work, and whether he could not find support with relations or friends. If the candidate receives any support, then, if it be less than the cost of his maintenance in the house, the difference is made up from the poor-fund, and the allowance is retained for the benefit of the maintenance fund.

Should the support be greater than the same cost of maintenance, the candidate receives in cash the overplus which remains after the cost of maintenance has been deducted, this cost being retained for the benefit of the maintenance fund.

Strangers, that is, persons relievable by another commune, are only admitted into a house of maintenance if space admits, and when the cost is completely made good by their own commune, or from some other fund.

Inmates may leave the institution when their health admits of it, and they can give assurance of being taken care of elsewhere. A man is dismissed, as a matter of course, if, having been admitted as an incurable patient, in course of time his health is so far restored that he can earn his own living, or if he acquires property to such an amount that he can live on the revenue of it out of the house.

In the year 1866 the number of houses of maintenance was 1,055, the individuals relieved being 21,132.

3. Sick poor, who are capable of working to some extent, or who are assisted by friends, receive temporary support from the Poor Institute. Sanitary officers appointed by the State, and still more medical officers and midwives appointed by the commune, are obliged to treat this class of poor persons free of charge; and drugs, etc., prescribed for them, are to be furnished at the cost of the poor-fund.

Sick-houses.—These are intended for the reception of such poor sick as get no sufficient care at home. As a matter of course, however, persons of means are taken in

and attended to at all times on payment of the required fees. Persons incurably diseased are, however, excluded from the sick-houses, there being hospitals for their use. Much the greater number of the sick-houses in Austria have their own property, which is preserved undiminished and is the subject of separate accounts. The sick-houses are almost invariably local institutions; so that if the income of a single institution does not suffice for its necessary outlays, the balance is defrayed from local sources. Some of these establishments, as the general house for the sick in Prague, and the Rudolf's hospital in Vienna, are State establishments; in such cases, therefore, any deficit that occurs is supplied by the State. With regard to the conditions of reception, the rule is that every rich person who is afflicted with a disease dangerous to life is received and attended to at all events, and the question of cost is only entertained afterwards. The charge for attendance, as a matter of course, falls, in the first instance, on the patient himself. If he is too poor to pay, recourse is had to his relations, both in the ascending and descending line, and after them to the commune to which he belongs; and if it is necessary to go further yet, to the circle to which the commune belongs. Gratuitous reception is accorded to those persons who receive an allowance from the Poor Institutes, to servants whose masters cannot take care of them in their own house, and cannot afford to pay for their care; finally, those sick who have no well-to-do relations in the direct line, and whose poverty is certified by the clerical authority, and the poor-fathers of the district. Those poor who draw support

from a relief-fund or poor-fund, must cede it to the sick-house during the time they are attended to. Sick-houses, which are local institutions, are destined first of all for persons belonging to the commune, but the police authorities are bound to take poor people who are found sick to the local sick-house, where they receive attendance.

A patient is dismissed from the sick-house, as a rule, when he is found to have recovered. In order, however, that such a patient may not at once relapse into distress in case he has not become fully capable of work, the directors of the houses, in accordance with the Court decree of the 13th of August, 1816, receive, from time to time, sums of money from the poor-fund, for the support of such convalescents.

Besides these official sick-houses, there are numerous private establishments, in the hands chiefly of spiritual brotherhoods or sisterhoods. They are subject, it is true, to Government inspection, but they are not obliged to submit their accounts.

The Austrian sick-houses have increased in number, between 1846 and 1866, from 172 to 362, and the number of patients from 100,983 to 212,517.

Public lunatic asylums were declared State institutions in the year 1820. In 1824, it was enacted that the fees payable for the care of the insane should be provided from their own property, or, if that source failed, be paid by their relations, and, in the last resort, by the State. Since 1860 these institutions have been in the hands of the different territorial governments.

Lying-in Houses.—These institutions, as already mentioned, were ordered to be established by the Emperor Joseph II., in order that single women who were *enceinte* might prepare for lying-in privately. By the Court decree of the 22nd October, 1818, and of the 11th February, 1819, they were declared to be State institutions, and since then have been supported from the State Treasury. But by the fundamental law of the 20th October, 1860, they have been handed over to the provincial committees, and they are now provincial institutions, supported by provincial funds. Women are admitted gratis on producing a certificate of poverty, given by the clergyman, and countersigned by the president of the commune, or on engaging to undergo a course of practical instruction (these houses are universally in connection with a clinical course for surgeons, or with a school of midwifery,) and after their accouchement to serve in the Foundling hospital for four months as nurses; it should be added that urgent cases are admitted unconditionally.

4. Care is taken of poor children by means, first of all, of foundling asylums. Institutions of this kind were set up in the time of Joseph II., for the benefit of poor illegitimate children and of foundlings of unknown parentage. They receive also, in some cases, legitimate children, whose parents are prevented by illness, or other circumstances, from doing their duty by them; and when the children, from want of the prescribed age or for other reasons, cannot be received into an orphanage. These institutions have become territorial instead of State institutions by the law of the 20th October, 1860, which

repealed the Chancery decree of the 22nd October, 1818, which had placed them all under the State.

The admission of a child is not always gratuitous. It is so in the case of children found in the street, children whose mothers were attended to in the house free of cost, or who served there as midwives; finally, those whose mothers can produce a certificate from the parochial priest and the poor-father as to their absolute want of means. A child can be sent to the asylum for gratuitous maintenance by the criminal court.

In other cases a fixed sum of money is paid, the amount of which differs in different establishments; and a child can always be brought to the house on payment of this sum if it has not reached the age of 10 years.

Children are kept in the asylum till they are two months old. They may then, if they are healthy and have been successfully inoculated, be sent out to be taken care of elsewhere by private persons. Some of these persons undertake the care of the children gratuitously, others for money; but in the latter case they must be married persons, living in the Crown territory where the hospital is, and must possess sufficient income to give assurance that they will spend the money received on the child itself; these facts to be ascertained by certificate, which in the cities is given by the police, and in the country by the clergyman conjointly with the chief man of the commune. The amount paid differs in different territories, but is diminished as the children grow older, it being supposed that in course of time they can earn some part of their own living by serving in the house of their foster-

parents. Anyone is allowed to undertake the care of a child gratuitously who can bring suitable recommendations. A lying-in woman who is tended gratis and wishes to undertake the gratuitous charge of her own child, must provide herself with a certificate from the local authorities that she is able to nurse her child, or that it will be otherwise provided for. But *cæteris paribus* the natural parents are of course preferred, if they wish to have charge of their own child.

This position of foster-parent is one which the foster-parent himself or the institution can put an end to upon fourteen days' notice. The clergyman, the communal chief, and the publicly appointed doctor are bound to look after the foundlings boarded out.

Children are taken care of in this manner at the expense of the institution up to the age of ten, but their foster-parents may retain them in their service or employment till they are twenty-two years old. After that age the foundling is free to dispose of himself as he will. By the Court decree of the 10th July, 1824, a foundling who, after the period of care in the hospital has expired, is a cripple, or otherwise incompetent to gain his own living, becomes a recipient of local relief.

The parents of a foundling may reclaim him on payment of previous expenses to the institution, and on condition of compensating the foster-parents for advantages which they might have derived up to the time of the foundling reaching twenty-two years.

Care of Orphans.—Fatherless children receive assistance or sometimes lodging from orphan establishments.

The same relief is given to children whose parents are in poor-houses or prisons, or whose place of abode is unknown. The cost of these establishments comes out of the local poor-fund, also from charitable endowments.

As a rule a child must, in order to be admitted into an orphan house, have lost both parents; he must also be between the ages of six and thirteen. At an earlier age orphans are provided for by the foundling institutions, and children who are subject to bodily infirmity or are incapable of education are admitted into a hospital. The orphans receive complete maintenance and instruction. Care is taken in the case of both sexes that they should be put in the way of earning their livelihood; pupils that are received on the foundation of some institution are dealt with according to the views and wishes of the founder. Boys are taught some trade, and girls are prepared for service where they can support themselves.

Orphans who for one reason or another cannot be taken into the house are placed out under the superintendence of the orphan asylum directors.

The following are miscellaneous heads of Poor Law.

(*a.*) A gratuitous legal assistance, by the Offo-Vertreter, a legal office so called, to which may be added a certain exemption from stamp duties.

(*b.*) Free education, which is given to poor scholars both at the universities and in inferior schools. There exist also special foundations for assisting the poor in this respect.

(*c.*) Measures to prevent idleness. Under this head may be mentioned the law against begging (which is, how-

ever, not strictly enforced), the precautions used in giving licences to rag-collectors, itinerant players, street musicians and pedlars. The last limitation is certainly one of very doubtful value, the continuance of which is questionable, as the Cis-leithan Government proposes to lay before the Diet the draft of a law about pedlars suited to the period. Idleness is in some places dealt with by means of houses of compulsory labour which exist in Vienna, Linz, Gratz, Insbruck, &c. Labour in such houses may be imposed upon—

(1.) Idlers and persons unwilling to work, though able to support themselves.

(2.) Able-bodied beggars.

(3.) Persons with no honest employment.

(4.) Servants out of place through their own fault, or who have wandered about for fourteen days without giving notice to the proper authorities.

(5.) Minors more than twelve years old in any one of these positions, but only with the consent of their fathers or guardians.

Persons condemned to compulsory labour receive full maintenance from the establishment, but they have a daily amount of work to perform, and their services are generally let out. They may by extra work earn extra pay, which is only given them when they leave the house.

In 1783 there existed in Vienna a free labour establishment for furnishing shelter and support to persons who were willing to work, but could find no employment.

(*d.*) Assistance in cases of extraordinary calamities.

There is no general provision for these cases, but on various occasions assistance has been furnished by the State in great emergencies; for instance, employment has been given in building, as in the cholera epidemic in 1838, and 1847–48. Loans have been made to manufacturers or landowners in places where distress has occurred, &c.

CHAPTER VIII.

SWITZERLAND.

[By PROFESSOR BOEHMERT, of Zurich.]

SWITZERLAND, with its twenty-five cantons, comprising a territory of 15,233 square miles, and according to the census of the 10th December, 1860, a population of 2,514,494 inhabitants, presents the greatest variety in the condition of its poor. There is scarcely any system of poor-relief which has not been tried in some part of the country. It may be legal or voluntary, purely domestic, or purely local, it may be both combined; it is in some parts left entirely to each commune, in others partly managed by the State; in one place acknowledged as a duty, but repudiated as such in another. This variety of form must not be forgotten, and it makes all statistics or any comparative and general view extremely untrustworthy. Strictly speaking, there should be twenty-five separate accounts; but for the sake of brevity this essay will be confined to the characteristic features of the management of the poor in Switzerland generally, with a few comparative statements of the most important provisions regarding the poor, the number of those relieved, and the sums expended for relief in the greater number of cantons.

General View.

The care of the poor until the fourteenth and fifteenth centuries was chiefly in the hands of the clergy. One-fourth of the revenues of the Church, more especially of the tithes, was devoted to the poor. The clergy, as swaying the consciences, amassed great treasures from rich donations and bequests, from anniversaries and dispensations of all kinds, and from indulgences, and they lived no longer for the poor, but by the poor. Besides this general support from the Church (given without local restrictions), the Boundary or Compulsory Societies, larger or smaller communities with common property, already contained the germ of the local Poor Law. But with the Reformation came the secularization of Church property, and of the funds devoted to the relief of the poor. Even in Catholic districts there was a law of mortmain. In Lucerne it was decreed that legacies exceeding the tenth part of the testator's property should be invalid. When the State took possession of the property of the clergy, the poor who had hitherto been supported by them, and were either unaccustomed or unable to work, looked around for other benefactors. They wandered about begging till they became a public nuisance, and at length, in 1551, the Diet decreed that every parish should support its own poor. Subsequently it came to be law that every poor man was to be referred to the commune to which he belonged either by birth or education. Settlement by parentage was introduced. Communes were obliged to

support their poor, and poor taxes were imposed to enable them to do so. The main object of the enactments last mentioned was to check careless alms-giving, and to make determinate persons responsible for the relief of the poor. Whilst men were free to move about as they pleased, no facilities were given them for acquiring citizenship and settlement in their new residence; in fact, when it came to be well ascertained that membership in a commune conferred settlement, the consequence was that the communes, especially in towns, were more unwilling to admit new comers. As emigration increased, the objects of local relief, who at first were only to be found in the locality itself, were scattered over different countries. The state of things thus produced, was alike burdensome and mischievous. During the latter part of the eighteenth century the poor taxes had become most oppressive, and were still more so during the French Revolution. The Revolution gave a more definite form to the Poor Laws. It was enacted that the society in each commune which undertook the care of the "citizen" or burgher poor (wherever such care existed) should continue to do so, but a burgher (*i. e.* Helvetian State burgher) belonging to one commune was exempted from contributing to the poor taxes of another commune in which he might be temporarily residing. The Mediation Government was more or less occupied from 1804 to 1808 with the state of the poor, and succeeded, on the whole, with the help of the cantonal laws, passed soon afterwards, in making poor-relief local, *i. e.* making every poor person belong to some place to which he might look for relief. Conse-

quently legal support by the commune has been laid down in theory, and has been generally accepted in practice. Only in two Swiss towns, Basle and Geneva, and in the Bernese Jura, as in neighbouring France, does the relief of the poor still rest upon voluntary and private benevolence. This latter principle was laid down by law in 1815 in the Bernese Jura; and in canton Neuchâtel, in 1819, it was specially forbidden to levy a tax for the poor, though it was made at the same time incumbent on the communes to support their own poor, as far as the funds specially devoted to that purpose would allow.

In all the rest of Switzerland the care of the poor has been made obligatory on the communes, but with this peculiarity, that legal and voluntary relief supply each other's deficiencies. The communal duty as regards relief usually extends only to the so-called "necessary" poor, *viz.* orphans, the sick, and those infirm from age or bodily defects, and incapable of work. The communes are looked on as families in an extended sense, and relatives in the first degree are almost universally bound by law to support their poor dependants. Poor-relief has retained more of the family character in Switzerland than in Germany, and has hence found it the more necessary to take vigorous measures against pauperism. Nowhere is there such readiness to make the appointment of guardians (Bevogtigungen) to dissolute persons, who threaten to become a burden to the community. The care of the poor is, in Switzerland, much less outwardly official than in England, which is explained by the different organisation of the parochial system. Switzerland is, and always was, a

country of communes. Every atom of State territory has been assigned to a particular commune; every member of the State is, at the same time, a member of some commune. Communal government has received a much more comprehensive meaning than local self-government in England. Only the Canton Appenzell presents some exceptional features, as communes, properly speaking, do not exist there, but the whole canton, with the exception of the commune Oberegg, is united into one great political commune, so that the police authority and the administration of the poor have one centre, and consequently are shared in by all alike. This great political commune, or "the inner land," has also Relief institutions in common; and so, too, the commune Oberegg has its own Relief administration, and two separate Relief institutes at Hirschberg and Oberegg.

The communal system has been remodelled by the new federal arrangements, on account of the grant of free settlement and frequent change of abode of the inhabitants. The inhabitants of the communes are divided into 1. Communal citizens. 2. Settlers. 3. Sojourners. The communal citizens form what we may call the civic commune, whilst the so-called residents' commune includes the settlers, whose numbers, in proportion to the citizens, are rapidly increasing, and in some places exceed them.

Legal or compulsory care of the poor, up to the most recent period, rested wholly on the principle that every man was dependent on his home. For instance, the civic commune supported none but the civic poor, whether dwelling within or without their original commune; and

consequently levied a tax for the poor on members of the civic union living abroad. The opposite principle, that of people being supported by the institutions of the place where they are, no matter where they come from, is, since 1857, in force in the greatest part of the Canton of Berne. There the inhabitants of the commune, with assistance from the State, support all the poor within their territory, no matter where they were born. Where this system is not in force, absent paupers tend to be more numerous than home paupers, in many places the former really do give the most trouble. As for the plan of bringing absent paupers home again, this wins no favour, because a poor man finds it extremely difficult to recover himself in a strange neighbourhood. On the other hand, the plan of the pauper's original commune maintaining him where he is, now very much resorted to, puts great obstacles in the way of satisfactory poor-relief. Often a poor man will insist on relief from his former home, whilst resident in the new one, because he knows that the commune would rather make some sacrifice than bring back an impoverished person; this again makes control of the poor more and more difficult. Besides this, the Federal Union has lately decided (upon a complaint of Canton Zurich against Canton St. Gall) that it is legal to levy a poor-tax on resident members of the civic union, but not on those non-resident. Therefore, the cantons in which civic Poor Law prevails lose the poor taxes due from non-resident citizens, and receive no compensation from resident foreigners. Such an anomaly cannot possibly last.

There are, however, some distinct grounds of objection

to the principle of making a claim to relief depend on a man's dwelling-place. It can hardly be right to tax for the poor the well-to-do settlers, and at the same time to send back to their homes the pauperized settlers. In the cantons, therefore, with civic relief, more and more leaning is shown to the other principle. In the Canton of Zurich a concession to this view has lately been made by the 54th article of the Constitution of the 31st March, 1869, which says: "In cases of destitution the duty of guardianship and relief, as a rule, belongs to the commune of birth, but this duty and the corresponding rights may be transferred by the law, wholly or in part, to the commune where the pauper lives."

In order to come to an impartial decision in this matter, the arguments must be mentioned which are alleged in Switzerland against a general adoption of the principles of relief dependent on habitation.

It might happen that some commune would intentionally seek to relieve itself of its poor, or those persons likely to become such, by giving them money to remove in good time. On the introduction of the local poor-relief system into Canton Berne, it was deemed needful to protect all communes by a law of settlement from such persons as sought a new residence, not merely for the sake of finding work, but to benefit by the charities of the place. It is thereby enacted that whoever wishes to be inscribed as an inhabitant in the register of a commune, must prove by a certificate of his former dwelling-place that neither he himself, nor anyone dependent on him, is in a state of pauperism, and that he is capable of work,

or else possesses sufficient means for subsistence. And there may be required in addition "proof of possessing a dwelling-house in some commune, or agreement for such, without collusion between the parties." The laws of settlement are naturally carried out more strictly in communes where a system of local relief prevails, than where the poor can be removed to their own communes. And yet no one so much needs the power of free settlement as the pauper and the receiver of alms. When we see what the difficulties are, we shall more and more incline to the opinion that the thing to be aimed at, is to remove the burden of the poor from the communes to the voluntary benevolent societies. Experience of this kind is not wanting in Switzerland. Generally speaking, every one is willing to allow, even where a system of legal poor-relief is strictly maintained, that without the supplementary aid of voluntary relief, it would be impossible to struggle against pauperism with any sort of success.

VOLUNTARY CARE OF THE POOR.

In most of the Swiss cantons there exist voluntary societies for helping the poor, often working in conjunction with the Poor Law authorities. The most admirable work of these societies in Switzerland has been to establish 40 or 50 schools, on the principles of her worthy sons, Pestalozzi, Fellenburg, and Wehrli, who made manual, and, especially, agricultural labour the chief object; in most instances, therefore, a farm is part of the establishment. There have been established from

40 to 50 schools for the poor, after the pattern of the Wehrli Institution at Hofwyl, the chief feature of which is industrial education (see "The Swiss Poor Schools" by K. Zellweger).

In Canton Aargau, the societies which Zchokke and others set on foot, have opened schools for the deaf and dumb, industrial schools, savings' banks, societies for supporting the sick, and there is now also a perfect network of societies for educating the poor; in the year 1865, 629 poor children were taught some trade, either by placing them in a family or with some teacher. In 1867, there existed 10 large societies for educating the poor, and besides these, there were 60 societies for giving help to women, for providing work, for attending to the sick, and for giving alms, in Canton Aargau alone.

Throughout the country generally, there are societies which not only strive to educate the poor, but take neglected children especially under their care.

In Solothurn there is a society which starts on the principle, that "Labour is the best Largesse." Several persons undertake to subscribe so much yearly for the purchase of raw material, usually flax, hemp, thread, cotton, &c. This is given out to the poor to be worked up for pay, and the stuff made is either sold or distributed amongst the subscribers, at a fair valuation.

An excellent organisation of the voluntary societies in Canton Appenzell deserves especial mention. Out of 20 communes of the Protestant district of this canton, 18 possess voluntary societies, and, in the other two, Waldstatt and Gais, there are societies for giving help to

women, which may be considered as in some degree supplying their place. These voluntary societies extend their aid to all, without regard to civic law or difference of creed; and the aim of all is to improve the moral as well as the physical state of the poor, by personal influence, by the education of children, and by giving work rather than alms; so as, if possible, through personal and religious influence to discover and close up the sources of poverty, by supplementary work, which legal poor-relief for various reasons cannot accomplish. The chief principles of these societies are, to elevate the family life of the poor; to require the education of their children; to visit all the poor in their own dwellings; as a rule to give no relief in money; to procure work for the poor; to struggle against mendicancy; and "to place themselves "in combination with legal poor-relief in the proper way, "so as to produce a beneficial joint action, both as regards "repression and relief with respect to the poor." The Directory of these unions usually consists of seven members chosen from the whole body by the requisite number of votes. A special committee attend to travelling workmen who, if they need support, receive assistance. The societies have from time to time organised general meetings, that they might act in concert, in their various districts, and several practical arrangements have been the result. It has been decided that a register should be kept, with an account of every poor person. A copy of this, containing an exact statement of the personal appearance, circumstances, and nature of relief given to the individual, is sent to the society in the place to which the

poor person removes. At the same time, it was agreed that the relief of travelling mechanics (for whom the societies provide what is called an alms-room) should not be carried out by every commune, according to its own pleasure, but according to certain general rules.

It is the aim of these societies to work in connection with the Poor Law authorities, and this union of the legal and voluntary care of the poor has answered very well in the Protestant district of Canton Appenzell. One supplements and corrects the other, and this is principally brought about by the fact that some of the Poor Law officials sit in all the committees of the voluntary societies. By this means a better spirit pervades the legal care of the poor, the principles of the voluntary societies being gradually adopted in it.

The societies of Appenzell are much strengthened by the support of the Society of St. Gall for suppressing street and house begging, which, with its 29 dependent societies throughout the neighbourhood, counted, in the year 1866, nearly 4,000 members, and dealt with 7,929 cases, exclusive of travelling artisans. There are a great number of Anti-mendicity Societies in other parts of Switzerland also. The Lake of Zurich enjoys a classical celebrity, not only amongst tourists but amongst beggars. Beggars have been taken up who had made 40 francs by their usual four days' pilgrimage round the lake, and who returned season after season, attracting numerous comrades from a great distance. At last an attempt was made to suppress this plague by sending beggars of all sorts to an office, where, after strict inquiries have been

made, the really needy are relieved. The experience thus acquired proves that begging is a profession, a trade which falls into decay and disrepute only when the supplies are cut off. Anti-mendicity Societies, under the name of "Bureaux de Mendicité," exist in Canton Neuchâtel, in Canton Glarus, and in the town of Basle. In this latter place an Enquiry Society, founded in 1867, extends its aid to both town and canton, and even to the adjoining communes of Basle (Campagne), Alsace, and Baden; another in Lausanne, established in 1853, and called "Société pour réprimer les abus de la mendicité," has been most successful; it distributes to its members printed tickets, and by the number on them is known the name of the giver. There is an office for receiving the poor who are provided with these tickets. Their real amount of distress is ascertained; as a rule they receive relief in food for one day only, and their names and places of abode being noted down a wholesome control is exercised over them. These efforts have been so successful that several beggars, indignant at the destruction of their trade, declared that they could not do anything with the tickets of this society in Lausanne, and one of them complained that since the opening of the office he had been obliged to take to work on the railroad. Unfortunately, it is a constant complaint in the reports of all these societies that it is more easy to manage the beggars than those who give to them, and that ladies especially will not give up their mistaken way of relieving the poor. Although street begging has nearly disappeared, it is still carried on from house to house, because many persons cannot make up

their minds to refuse on principle, or prefer out of indolence to give on the spot instead of making inquiry; not considering that every gift to an unknown beggar is a double injustice, an injustice to the beggar who is encouraged in his wanderings, and thereby demoralized; and an injustice to the society whose attempts to suppress pauperism are thereby rendered fruitless. Those, therefore, who are too compassionate to refuse any application for relief cannot do better than join a society, and distribute its tickets.

Amongst these voluntary societies, those founded by foreigners deserve mention. The German Aid Societies in Zurich, Basle, Berne, Geneva, and Aargau have one central society for the more effectual organisation of relief to their German fellow-countrymen. Most of the German Governments further their efforts by yearly contributions. Swiss and German railways grant to these societies free passes for sick or poor Germans returning home. The German Union in Zurich, according to their last report, counted 252 members, and assisted 642 persons, partly with viatica, partly with attendance on the sick, partly with help to indigent families. The work undertaken by the managers is no slight one, owing to the great number of needy Germans, either passing through or residing in Switzerland.

Still, in many parts of Switzerland, side by side with the benefits conferred by these voluntary societies we see the ill-effects arising from unorganised charity, lavish expenditure, and great charitable institutions with abundant funds.

In Basle, the richest town in Switzerland, we find proportionally the greatest number of persons relieved. In the flourishing Canton of Zurich, the proportion of persons relieved is least favourable in the three rich districts of Zurich, Horgen, and Meilen, because, as we learn from the Government Council Report of 1861; "in these districts, which hold the first place as regards prosperity, there is a much greater amount of relief given to the poor generally than is the case in many other districts." The Zurich Government Council Report of 1865 mentions as directly conspicuous amongst the causes of poverty alleged by individual poor relieving bodies, "the property belonging to corporations in individual communes, on which many a young man depends, instead of seeking his fortune elsewhere." In Canton Berne, too, it was found, after an inquiry made in 1840, that there were "the greatest number of persons relieved in proportion to the size of the civic unions: 1. In the town communes where rich endowments for the poor encourage them in habits of carelessness. 2. In communes, which in proportion to the size of the communal district have an unusually large number of freemen. 3. In communes which grant tolerably wide civic privileges. 4. In communes which on account of their remoteness afford but few sources of employment." Still later, a pamphlet by the Bernese statesman, Blösch, mentions as "a fact that wherever the greatest communal advantages exist, there the greatest indolence and dislike to work are to be found." The excellent report of State Councillor Schaller on pauperism in Canton Fribourg also calls attention

to the fact, "that the number of poor is far greater in rich communes, such as Fribourg, Greyerz, Mâcon, &c., and keeps up, though the means which the authorities there have at their disposal ought to enable them, by precautionary measures, to strike at the very existence of pauperism."

In regard to the present state of the Poor Laws in Switzerland, it is to be remarked that six cantons, *viz.* Basle (ville), the two Appenzells, the Pays de Vaud, Neuchâtel, and Geneva, possess no express poor legislation, only some incidental provisions which have arisen in connection with regulations concerning police, rates, taxes, &c.

In the other cantons, laws are in force which have been passed between the years 1804 and 1864. The peculiarity of these laws is that they impose the duty of relief on the commune, namely in Berne, the commune of residence; in other places that of citizenship or origin, irrespective of residence; but in the ancient Cantons of Uri and Schwyz this is modified,—in Uri by enabling a poor man to claim support after 15 years' residence in a commune to which he did not originally belong; in Schwyz by granting the right of relief to those to whom citizenship has been granted or obtained by marriage; those whom the authorities have admitted as dependants; and those who have been settled at least 25 years continuously in a commune other than their native one, and yet in their native district.

The majority of the cantons have besides agreed together, within the last few years, to relieve the sick

or infirm poor within each commune, provided that a medical certificate should prove that it would be cruel to force them to return to their own commune, but the latter is bound to refund the money expended for relief, at a fixed tariff, the commune where the sick person is residing giving due notice of such expenditure.

Besides this inter-cantonal agreement, most of the cantons have concluded treaties with Italy, Prussia, Austria, Bavaria, Baden, &c., by which they mutually undertake to relieve the foreign poor within their respective territories, but on condition of reimbursement should the poor persons be in a condition at any time to refund the sums expended for their relief. These new arrangements have caused a considerable increase in the communal as well as cantonal expenditure for the poor.

EXPENDITURE AND TAXES FOR THE POOR.

The chief source of revenue to meet the expenses of relieving the poor is the income arising from the property devoted to them, the maintenance and improvement of which is made mention of in almost all the Swiss Poor Laws. Most of the Swiss communes possess such property, the interest arising from which is either spent or else added to the capital. In many cantons the funds belonging to the poor in each commune amount to a considerable sum. The other sources of revenue are certain fees and fines which accrue to the property devoted to the poor, direct subsidies from the State, voluntary gifts, repayments for relief already received,

payments from the relations of persons receiving support, and, lastly, poor-taxes.

In several cantons there are no poor-taxes at all. In Canton Berne poor-taxes, as a rule, have been abolished; at the same time each commune may levy a poor-tax, for one year, to supply any deficiency in the funds for the poor, but only until the income arising from the latter shall again have reached the legal amount. In the Pays de Vaud, a deficiency in what is there called the "bourse des pauvres," is made up from the general revenue of the commune in which the deficiency occurs. In those few instances in which both these sources fail, the commune is authorized, by a decree of the Great Council, to levy a tax on the land. In the remaining cantons, about two-thirds of the whole number, it is legal to levy poor-taxes, but some communes make no use of this power; for instance, in Canton Zurich, out of 165 communes, there were 69 without any poor-taxes. The law of Canton Unterwalden ob dem Wald expressly permits annual collections of voluntary offerings to be made amongst the members of the church, if it is probable that they will be sufficient, instead of a poor-tax.

The poor-taxes in Switzerland are, for the most part, levied on capital, now and then on capital and income. The Canton Unterwalden permits also finally a capitation tax of one franc.

In the majority of the Swiss Cantons all persons belonging to the commune, whether resident or not, are liable if a poor-tax is levied, but some few cantons, as St. Gall, make all the resident inhabitants pay, even

where the care of the poor is undertaken by the civic union.

Payments are required by law from the relations of persons receiving relief, but the degree of relationship of those bound to pay varies considerably in the different cantons. In Berne, relations both in the ascending and descending line, and also their lawful spouses, while the marriage lasts, are liable. The call is made, in the first instance, by the officials of the poor-relief; in the last, according to the law of police relating to the poor. In St. Gall, the liability to support poor relations falls only on parents, and children of the same, possessing means. In Zurich, the parents are first liable; and next the grandfathers and grandmothers, and the grandchildren; thirdly, the brothers and sisters, but only so far as this relief is not burdensome to them. The same is the case in Basle. In Glarus, relatives up to the half-third degree are liable. But of 32 poor districts in Glarus, only 15 use these taxes raised from relatives. In the Canton Valais, liability extends to relatives of the fourth degree, if inhabiting the same canton as the paupers, but only to relatives of the second degree if they are living abroad. Sometimes only the parents are bound to support the children, and *vice versâ;* sometimes the duty extends to the next generation; and sometimes even to relations much further off. The maximum payment required from relations is, as a rule, the average cost of maintenance. Repayments for support already received may be required from those who either by gifts, by inheritance, or in any other way, become possessed of

property, but no interest is required, nor, as a rule, any indemnity for support received in childhood.

Amongst the different kinds of support, the plan of boarding out poor persons, and especially children, in the families of well-reputed and industrious people is more and more acknowledged as one of the best; and is greatly preferred to placing them in the poor-houses, which are generally nests of misery, dirt, and idleness, and are particularly calculated to demoralize the young. The orphan asylums are in better repute than the communal poor-houses; and still better managed are the asylums for the sick, the blind, the deaf and dumb, lunatics, &c., which have been established in almost every part of Switzerland, sometimes by the State, but more frequently by the voluntary societies.

One result of the legal care of the poor has been the establishment of houses for compulsory labour, and other institutions of the same kind. There are six of these in Switzerland, one at Realta in the Grisons, one at Kalchrain in Thurgau, one at Thorberg in Berne, one at Kappel in Zurich, one at Klosterfichten in Basle (ville), and one at Lenzburg in Aargau. That at Kappel is chiefly a poor-house, that at Klosterfichten a charitable institution. Realta and Kalchrain are houses of detention for vagrants and rogues, and the other two places are prisons where persons are sent after trial. Recently it has been resolved to establish houses of correction in Appenzell (ausser Rhoden), and in Toggenburg, and one has been commenced at Lucerne by a Government Commission. In Neuchâtel an effort has been made to establish one for drunkards,

and such like, who desert their families. On the other hand, the house at Griesbach in the Canton Schaffhausen, established in 1852, whose inmates had to cultivate 130 acres, was given up in 1868, because after costing 40,000 francs in 16 years, for 58 inmates, it had yielded indifferent results. No less than 125 desertions had been recorded against 31 of the pupils. It must be added, too, that Thurgau is willing to receive at Kalchrain natives of Schaffhausen who refuse to work. Varying in their object and discipline, some approaching the form of private benevolent establishments, while others resemble houses of correction, they thus occupy an intermediate place between poor-houses and prisons. It is a disputed question in Switzerland whether these institutions are really beneficial or not. There are many theoretical objections to them, but in practice they are generally found to be of use, since the fear of being shut up in such an establishment has stirred up many a man to greater efforts to help himself, and this indirect influence is by no means to be despised.

An official report from the Canton of the Grisons, during 1865, 1866, and 1867, shows in a striking manner how various are the ways of giving relief in Switzerland. In some communes begging from house to house is still allowed; in others a piece of ground is allotted for cultivation; in most of them allowances are given in kind or in money; in some places a certain quantity of salt is annually divided amongst the poor of the commune; in others assistance is given for emigration to America, either in money, or by guaranteeing profit on the lotteries of the

commune for years after their departure. In many other cantons also besides the Grisons, legal encouragement is given to emigration by grants of money; but this plan for helping the poor does not seem, in general to have answered, and in the official report from the Grisons in 1859 it is fairly stated that 300 poor were sent to Brazil, and thereby 90,000 francs withdrawn from the canton, whilst the emigrants, instead of improving their condition, were reduced to a much worse state.

The Poor Law officials in Switzerland are usually the members of the communal council; such is the case in eight cantons; in Zug, Valais, the Grisons, and Schwyz they are chosen or appointed by the communal council; in many cantons the ecclesiastical character of the care of the poor has been so far retained that the churchwardens are also Poor Law officials. This is the case in Zurich, Thurgau, Glarus, and the two Unterwaldens. In St. Gall, in those communes where there are various religious denominations, the ecclesiastical heads of each sect are frequently Poor Law guardians. In canton Fribourg an attempt is now being made to introduce the care of the poor according to parishes, but the communal system is preferred by the State Council.

Tolerably full powers are granted by many laws to the Poor Law officials against the lazy and irreclaimable poor. Street begging is also strictly forbidden and threatened with punishment, and giving recommendations to beggars to be taken round for subscriptions is forbidden, both to officials and private persons.

The administration of the laws by the Poor Law au-

thorities and the police, and the co-operation of the public in the care of the poor, are, notwithstanding, extremely different in different cantons. Experience proves that we must not expect to improve the unhealthy condition of a country and to remove prejudices and bad customs by mere legislation, but that it requires the continued co-operation of the people, joined to unity of sentiment, as well as practical judgment and moral severity, if we wish to fight against beggary and distress with any real success.

Before concluding this general account of the Poor Law in Switzerland, it may be useful to add three special notices concerning the poor in the Cantons Berne, Zurich, and the town of Basle, which represent the three leading systems of Poor-relief, *viz.*—1. That of legal local relief. 2. That of legal relief according to citizenship. 3. That of voluntary relief.

1. Canton Berne was, from 1830 to 1850, so much oppressed by the result of the law which laid the burden of supporting the poor on the communes, that, in the year 1846, the abrogation of this law was proclaimed with general approbation; the State at the same time granting subsidies, so as to give immediate relief to the communes, and to help them to accomplish the transition from legal to voluntary care of the poor. A sum of 1,200,000 francs was appropriated by the State for the erection of asylums and hospitals, and for the maintenance of educational establishments. A new law passed in 1847 enacted the punishment of beggars, and of those who neglected poor persons dependent on them. It was forbidden to remove the poor to their own communes;

and the poor-taxes, wherever levied, were gradually to be diminished in amount, and to cease altogether in four years. Beginning with the year 1851, civic Poor Law officials were to have control only over the income of the property devoted to the poor. They were to levy no more poor-taxes, nor to receive any State subsidy; but a voluntary society, supported by voluntary contributions, was to undertake local care of the poor assisted by tate institutions. The State subsidies were then to be ven only to the voluntary societies and the State stitutions.

The new system introduced, though productive of conderable benefit, especially at first, was far from answerg the expectations entertained of it.

In the beginning of the year 1851, when the poores were to have ceased entirely, half the parishes in nton Berne were found to be without any voluntary ieties at all. The great increase of distress during years 1847 to 1851, owing to political disturbances d bad seasons, had already obliged the communes to permit the levying of poor-taxes, and thus to infringe the law of 1847 in an important point. The care of the poor, according to citizenship, again took the lead, and the old system seemed to have gained a victory over the new. Nevertheless, the principle of voluntary and local relief was still considered as the right one, which might, however, be modified as experience should prove desirable.

The latest Bernese Poor Law, that of July the 1st, 1857, maintains the principle of local relief, and only

modifies the voluntary principle contained in the laws of 1846 and 1847 so far as to make it the duty of the civic Poor Law officials to support those poor who come under the category of "Helpless," whilst the care of those called "Needy" is left to the voluntary societies.

Under the head of "Helpless" are classed: 1. Children, orphans, or others without any means of subsistence until they are confirmed; 2. Grown-up persons without means of subsistence, who, from old age or incurable illness, are incapable of work or service.

The sources of revenue for their support are various arising partly from the income of property devoted to the poor of the commune; partly from payments from relations; repayments, &c.; partly from grants from the State the maximum of which is 500,000 francs a year. The State, however, contributes besides to several charitable institutions, and supports the indigent connected with the old canton, who are beyond its limits, but still in Switzerland.

Under the head of "Needy" are classed: 1. Those who, through illness, are only temporarily incapable of employment; 2. Persons without any means of subsistence, who, in consequence of public or private misfortunes, are in want of the necessaries of life; 3. Those helpless, until they can be put on the list of "Helpless," and consequently made over to the care of the civic Poor Law officials.

The organised voluntary societies take charge of the "Needy," relying for assistance upon two institutions which we must call the fund for distribution and the

fund for the sick. Should a commune refuse to form this fund for distribution, the State would refuse to grant any subsidy. There is a committee of management, whose duties are: 1. To strive to prevent poverty; 2. To assist those in temporary distress, and give them the opportunity of recovering their independence by their own efforts; 3. To take care, as far as possible, of those who through age or infirmity are unable to work, until they are received among the "Helpless"; and, 4. To suppress begging.

The income of the fund for distribution arises from church taxes, legacies, and gifts for the needy; subscriptions from members of the committee, endowments, &c., and voluntary donations from the State, which are usually given in the form of allowances to poor boys or girls that they may learn some trade, and grants to poor families for emigration.

The fund for the sick is collected in each parish or commune; its income arises from certain subscriptions from tradesmen and workmen belonging to the canton, legacies and gifts, collections from house to house, &c.

No poor man can sue for relief in a court of law.

Poor Law officials and relations bound by law to support their poor relations can protest against the marriage of "helpless" and "needy" persons.

The foregoing sketch applies only to the old or German half of the canton; the other half or Bernese Jura taking no part in these arrangements. The care of the poor in the latter is voluntary, and is chiefly managed by the Poor Law authorities of the civic union. If a

member of this union lives in his own commune, the want of any legal care of the poor is scarcely felt, the funds for the poor at the disposal of the civic union being usually large; but if he is non-resident, he feels it keenly, as the communes of the Jura are very unwilling to remit assistance to their absent members.

The Bernese Poor Law of 1857, in making poor-relief local, added at the same time more strict regulations as to settlement, and hence arose many annoyances to the authorities of the communes as well as to the poor, from the difficulty of moving freely from place to place.

The Swiss statesman, Kummer, in his minute on the revision of the Law of Settlement of 1867, states his opinion that, until the system of free local relief has been tried, not only over the whole Canton of Berne, but over the whole of Switzerland, we can scarcely hope for a satisfactory answer to the questions of poor-relief and free settlement.

2. The Poor Law of Canton Zurich, as distinguished from that of Berne, makes the civic union undertake the charge of the poor; consequently relief is not local, but given according to citizenship or origin. Even since the Reformation the Church has had much to do with the care of the poor.

There was in Zurich no fixed rule as to State subsidies until the year 1836; up to that time, the amount given depended, not on the degree of distress, but on the importunity of the communes and ecclesiastics. By the law of 1836, and another, of much the same import, of 1853, the duty of relieving the poor was laid upon the

communes, but the value of voluntary efforts was not forgotten. The clergy are usually the Poor Law officers for each commune, but they are allowed to invite non-official persons to take part in their work. Their duties consist in managing the funds devoted to the poor, and in attending to their bodily as well as moral welfare, as also to find out the causes of poverty, and as far as possible to remove them. The Poor Law officers in each commune are under the supervision of the District council, who, in fact, constitute the Poor Law authorities of the district, and these again send in a yearly report to the Government council.

The duty of supporting persons in distress is, in the first instance, obligatory on their family. This source of help failing, the parish in which the poor person claims citizenship is bound to give relief. Repayments may be required, should the pauper again become possessed of any property.

The sources of revenue are much the same as those in Berne, but should these be inadequate, the deficiency is made up by levying a legal poor-tax. One kind of revenue, the voluntary Church taxes, may be expended, under certain circumstances, on persons who do not belong to the commune. By the Poor Law of 1853, the authorities are urged to establish savings' banks, funds for the sick, loan societies, &c., and as much as possible to act in concert with the voluntary societies, so that the expenditure of both parties may be really of use. Many of these voluntary societies exist in Canton Zurich.

A comparison of statistics, beginning with the year

1836, shows a satisfactory decrease in the number of persons relieved during the past twenty years, and more especially since the year 1855.

3. The Canton of Basle (ville) has no law essentially relating to the poor; no regular poor-taxes, no direct revenues from the State or the communes, nor any enactments as to the duty of relief; but there exist so many institutions for the poor, and there is so lavish and unorganised a passion for giving, that the number of those receiving relief is greater in Basle than in any other part of Switzerland.

"The town council is now occupied in re-organising the state of the poor, so as, if possible, to centralise the relief, which no longer answers the needs of the population, and to make a better use of the numerous resources at their disposal, without in any way infringing on the voluntary principle.

CHAPTER IX.

SWEDEN AND NORWAY.

[By AUGUST LAMMERS, of Bremen.]

1. SWEDEN.

DURING the middle ages, poor-relief in Sweden, as elsewhere, was partly managed by the Church, and partly by private persons. G. Broomé (Om Svenska Allemänna Fattigvärdslagstiftningen, Lund, 1856) has tried to trace it back so far as the old provincial laws, but all he has found in them is, for the most part, limited to the duty of relations to support one another. The first orders which bear a public character are the prohibitions of begging, which date as early as the fifteenth century. An arrangement for poor-relief, the Laegd or boarding-out system (see Norway), still in some measure existing, dates, however, from this time, and received its first sanction, not from the State nor the civil community, but from the Church. Thus, in Sweden, a certain portion of the tithe was regularly to be devoted to the poor; but only after the local priest had first received his third, were the remaining two-thirds to be divided between the poor, the bishop, and the Church. The tithe payers, however, generally kept back the

portion for the poor, either because they preferred supplying it in kind instead of in money (as is still the case in the more remote districts), or else because the currency was so restricted that they could hardly do otherwise. In the larger towns, there were a few hospitals (generally named after the Holy Ghost, as was the custom in all the rest of Western Christendom from the time of Innocent the Third), which were intended to receive both sick and poor, and then the share of the tithe to be given in alms went entirely or partly to these.

Meanwhile the Reformation did not so much overthrow a satisfactory state of poor-relief (which has been sometimes too superficially assumed), as show, suddenly and distinctly, how impossible it was to maintain the existing system. By the dissolution of the monasteries, the Reformation filled up the swamp on which the indolence and depravity of the masses had grown with the rankest luxuriance. But, of course, with this drying up of the ground, the poisonous crop itself, which had previously been produced there, was not so easily destroyed. Mendicity, the great plague of Europe during the sixteenth and seventeenth centuries, visited Sweden also. It was owing to this that the State, then beginning to assume its modern form, first concerned itself with the business of poor-relief.

The first State law which laid the foundation of public poor-relief, was the Church ordinance of 1571. This fact is very characteristic of Sweden, which, even to the present day, has kept up a closer connection between Church and State than any other Protestant

country, such as among Catholic countries perhaps Spain only has maintained. No one ventured, as yet, to forbid begging altogether. It was, however, partly attempted to restrain it from without, since it was linked with a kind of public credentials, a "beggar's pass" prepared by the bishop; and this only could be required to be read by the clergyman from the pulpit, that is to say, made known publicly and recommended to notice; the pulpit is so used, even to this day, within certain districts of Scandinavia. In part, to :, an attack was made on mendicity from within, by making regular collections on all festive occasions, the proceeds of which went to a special poor-fund, as well as by instituting special places of refuge for the helpless poor. Near every cathedral a hospital was to be erected, and maintained in such a way that it might contain at least 30 persons; and in every parish there were to be one or more rooms capable of containing from four to six poor sick persons.

But all this was like a drop of water on a hot stone. The keen eye of Gustavus Adolphus saw it, when, in 1620, he drew the attention of his bishops to the unsatisfactory state of the system carried on with regard to the poor. What the Crown, said he, gives to the hospitals is consumed by the managers, and the poor themselves are driven about worse than dogs. He therefore sketched out in 1624 a new "Constitution against Beggars and Vagabonds," which aimed at greater centralisation of resources and appliances, the suppression of the misused rooms for the sick, instead of which provincial hospitals and orphanages were to be established.

But these reforms went much too far for the Estates; no part of the great king's comprehensive plan was carried out except the establishment of a large orphan-house in Stockholm, and the house for invalid soldiers at Wadstena, the natural consequence of an epoch of war and glory, and the lasting expression of thanks from a grateful Fatherland to a victorious army.

As to the relief of the poor in general, or as the task was then chiefly understood, the suppression of begging, the necessary (legislative) measures were taken on an average once in a generation. The Beggar's Order of 1642 fixed the duty of support on the parish, which, in the Ecclesiastical Order of 1571 had been merely hinted at for the first time; urged the duty of providing more rooms for the sick; and, on the other hand, restricted and further modified the beggar passes. The old rule of the provincial laws, that any property left by a person receiving relief in a hospital should go to the hospital, was revived. Poor-relief was also the subject of the Ecclesiastical Law of 1686. This law confined the right of begging strictly to the parish of settlement, enforced the duty of maintenance by the parish more strenuously, and required, from every person of means, a yearly gift for the support "of his needy fellow-Christians." If any parish was overburdened with poor, the neighbouring parishes were to render assistance.

But with all this legislation, the plague of beggars only became more unendurable. King Charles XI. could only escape from it in his own capital by erecting a great house of correction, where all persons found begging

about the streets or in houses were to be compelled to work. The Beggar's Order of 1698 granted the requisite legal machinery, and in order to strengthen the Ecclesiastical Law of 1686, forbade all begging beyond the beggar's own parish. At the same time, the poor-funds were augmented by certain dues from weddings, baptisms, and burials, from the sale of houses, inheritances, &c. Every ship which sailed upon the West Sea, that is to say, the ocean beyond the Kattegat, was bound to take out every four years a poor lad as ship's boy, and so on. A law of 1734 defined more exactly the duty of building rooms or houses for the poor. In the course of the eighteenth century, a time as is well known, when philanthropy was practised in many cases despotically by the higher classes, the State began to interfere more minutely with local poor-relief, without, however, any special success. Broomé tells us, for instance, that within three years it prescribed the model of an economical plan for a poor-house in each parish, and again let it drop. The Royal Orders of 1788 and 1811 at length conclusively laid down the main principles which had up to this time been worked out by practice, and by the law handed down, on the subject. They made it tolerably clear on the one hand, that every parishioner, not himself in receipt of relief, must help to bear the burden of the poor. On the other hand, they disposed of the question of settlement less satisfactorily. The districts were no longer to be able to send back persons fully capable of work, in order to free themselves from the burden of their eventual maintenance; hence arose not only great un-

certainty as to the limits of this idea, and great variety in its actual definition, but even a regular so-called "war of parishes," one parish seeking to shift on another the burden springing from the necessary relief of the migratory poor.

It was first, however, from the intellectual rebound of the great French Revolution, and therefore in the beginning of the present century, that greater breadth and activity was imparted to the course of legislation for the poor in Sweden. The Diet of 1809 appointed a committee to deal exhaustively with the subject. Their report was not given to the king until 1821, and he laid the opinion of the committee before the Diet of 1823. The principles contained in their plan were the following:—The maintenance of such needy persons as are not in a condition to support themselves; the offer of work to the able-bodied among them; the care and instruction of pauper children; the duty of the parish to supply these kinds of relief; permission for several parishes to form a voluntary union so as to bear the burden of their poor jointly; claim of the pauper to relief in the parish where he has last paid taxes or ought to have paid them; right of the parish to oppose the immigration of persons who, it is evident, must immediately become a burden to the poor-fund; presidence of the clergyman at the local Poor Law board; covering deficits in the poor-fund, first, by a poll-tax, then by a land and trade tax. However, two only of the four Estates of the realm approved of these proposals, and the King sided with those who were for the existing state of things. But since all its bad effects,

especially the hindrances to free settlement (owing to the anxiety of the parishes with regard to the funds for relief), and the wars between parishes naturally enough continued to exist, the Diet of 1835 renewed the requisition of its predecessor of 1809. Accordingly, in March, 1837, the king appointed a new committee, which, in October, 1838, was divided into two sections; one for the kingdom in general, the other for the capital, Stockholm; and in the course of the following year their report appeared, upon which was based the Royal Order of May 25th, 1847, the virtual foundation of the Order of July 13th, 1853, at present in force.

According to this, such distress as arises from incapacity for work, mental imbecility, or sickness, has the first claim to public support. Children in this condition are entitled, besides food, clothing, and lodging, to Christian education and instruction also. The town, in towns, and the parish, in the country, must bear the burden of its own poor. At the same time, with the consent of the king, there may be some degree of co-operation between several parishes for certain objects of poor-relief, as, on the other hand, a parish or town may be divided into several partly independent poor-districts; but the legal responsibility still rests mainly with the town or parish. The town or parish is bound to relieve anyone settled there who is or legally ought to have been rated for taxes, or who has lived there up to or past the age of 55. The idea on which this determination is based is, as will be easily recognised, that anyone in distress should be relieved where he has presumably worked during the best years of

his life. The order of 1847 had instead made a three years' residence the title to settlement, like the Prussian law of 1842, but the enactment of 1853 has again returned to the idea contained in the report of the committee of 1821, mentioned above. A wife shares the settlement of her husband; a widow, or wife separated from her husband, has for the time a claim in the place where she lived as a married woman; legitimate children up to their fifteenth year in the place where their parents claim relief, and after the death of both parents, where the last survivor could do so; illegitimate children follow their mother. It is needless to enter here into the details of some exceptional and rare cases, such as the settlement of sailors and soldiers.

The cost of poor-relief is in the first instance defrayed by the revenues of existing foundations, the proceeds of collections, fines, voluntary gifts, and so on. Should these not suffice, a poll-tax must be levied to the amount of 8 skilling (or 6*d.*) for a man, and 4 skilling (or 3*d.*) for a woman, over eighteen years of age. The Poor Law authorities may make exemptions under certain circumstances; but payment of the general imperial poll-tax is not necessarily sufficient to give exemption from the special poll-tax for the poor. If this is not enough to cover the expense, a further augmentation of the existing land and trade tax is to be made.

The management of poor-relief devolves upon a small parochial committee, in the towns and villages of special authorities constituted for the purpose, now in this way, now in another. The local clergyman is bound to take

part in it, even when he is not a member, or, as generally seems to be the case, the chairman of the committee. Of course the committee is not endowed with unlimited powers, but is dependent on the superior power of the State, and in some measure also on the whole body of parishioners.

Formerly the public magazines of corn played a conspicuous part amongst the institutions for relieving distress; naturally enough, in a country with few roads, thinly peopled, and in parts rough and unfruitful. But here, as elsewhere, experience showed that these magazines for the support of the people proved on the whole, a hindrance to that which is the only effectual one, *viz.* the free exchange of produce. They were, therefore, declared a failure by the Diet of 1823, and their abolition immediately followed.

Begging is now forbidden altogether, but it is still thought of and treated with unusual mildness. There are not too many poor-houses; and attempts to found poor-colonies like those in the Netherlands seem to have been recommended in vain.

The Poor Law authorities exercise the same control over a person whose whole maintenance is drawn from the poor-fund, as a master would over his servants, and this implies also a certain guardianship. A pauper, for example, is not free to marry whenever and whomsoever he pleases. The relief granted to him is in principle looked upon as a kind of advance, which ought to be repaid whenever, by inheritance or otherwise, his circumstances are improved. But the practical carrying out of

this claim is limited, so that the motive to independent self-support may in no way be destroyed or impaired. Inmates of a poor-house can neither possess nor earn anything; whatever is given to them belongs to the institution. Offences against order and morality, as well as an ungrateful, refractory, and insolent demeanour, are punished in proportion, by a withdrawal of the less indispensable food or articles in daily use.

The foregoing is a sketch of the existing Poor Laws of Sweden founded upon their historical development.

If, however, inquiry be made as to their practical working, we regret to say we are unable to discharge the obligation to our readers of furnishing information on that head. Swedish statistics, in other departments so trustworthy, do not at present include the state of the poor. Those officially employed on this subject would willingly do more, and are conscious of the value of careful and well-considered statistics in regard to the poor. Their chief, Dr. Berg, is at present in active communication with the Norwegian statistician, Eilert Sundt. What is wanted is, that directions should be given to the local authorities to furnish materials to the Government office of statistics, where they might be arranged clearly and exactly, whereas now the Poor Law authorities are obliged to expend on them their much-divided attention.

With all due reservation I now give the following principal figures:—The population of Sweden, at the end of the year 1865, was 4,114,141 persons. In the course of that year, 55,187 persons (22,658 men and 32,529 women) were entirely supported by public relief; 92,601

persons (33,231 men and 59,370 women) partly so. The total number receiving alms was accordingly 147,788, or about 3·6 per cent. of the population, being 5·5 per cent. in the towns, and only 3·3 per cent. in the country. There were 2,129 poor-houses, and of these 123 were in towns. The total expenditure amounted to 1,457,574 Prussian thalers (or about 218,636*l.*), but this does not include the money value of relief given in kind, nor of that afforded by the Laegd; and in the number of those partly supported, without doubt the number of wives and children partaking of relief is omitted also. The poll-tax amounted to ℔174,262 (or about 26,139*l.*). How much more liberal is the relief given in towns than that in the country, notwithstanding the omission of what in the latter is given in kind, may be seen from the fact that the sum of ℔468,310 (or about 70,246*l.*) was divided amongst the 27,363 recipients dwelling in towns, the total number of inhabitants being 498,982; whilst in the country 120,421 persons had only ℔971,264 (or about 145,689*l.*) divided between them, the total number of inhabitants being 3,615,159.

2. NORWAY.

The peculiar condition of Norway, from the small number of its inhabitants, and its comparative isolation, may give interest to some of its customs regarding the poor.

It was only in 1845 that a law was passed organising public poor-relief.

This law gave to every person, in case of destitution, a legal claim to relief by the commune or district of the place where he was born, or where he had lived for at least three years between his 15th and 63rd birthday; the question of dwelling-place being thus treated in much the same way as by the Prussian law of 1842. Begging was forbidden. The care of the poor was placed in the hands of commissioners who, in conjunction with the local Poor Law officials, were allowed finally to impose a tax in money and kind from year to year. In the country the old institution of the "Laegd" was also retained, *i. e.* boarding the poor at a certain number of farms by turns. The law also gave the commissioners power to place able-bodied persons claiming relief, in workhouses (this idea was borrowed from England), but the power was only given at first in the case of some of the more considerable towns.

The Laegd, or boarding-out system, needs a short description, though it was by no means peculiar to Norway, or even to Scandinavia, but was also usual in Sweden and Denmark; in the Orkneys and Shetland Isles; in Livonia; in two of the Swiss cantons, Berne and Fribourg; and in parts of Southern Germany as late as forty years ago, where perhaps it still exists here and there.

It consisted originally and mainly in this plan: the poor person received both food and lodging in the house of the farmer bound to contribute to his relief. The expression "Laegd" is derived from a Norwegian word meaning to lie, which we may translate in English by its old meaning, to be lodged. The system arose during a

state of society which exists even now in thinly-populated countries, where the towns are few in number, and the means of communication rare.

The custom has been differently carried out in the different parts of Norway, according to the divisions of the land, and the number of persons needing relief. Sometimes a poor man may remain year after year on the same farm; but as a rule he spends a short time at each of a certain number of farms bound by law to support him, so that in the course of the year he has passed the allotted time at each of them. Formerly this time was of equal duration without any regard to the particular circumstances of the farmer; but since 1845 this has been altered. Such poor persons as were objectionable inmates on account of their natural disposition or character, have been sent, if possible, to each house in the district for a very short term, so that no one should be tormented with them too long. The Poor Commissioners were also in the habit of sending agreeable and troublesome guests by turns into the more remote dwellings.

Even some time ago, however, those bound to take part in a "Laegd" would occasionally agree together to find food and lodging for a poor person at their joint expense, or to buy off his claim with money, in which case he found board and lodging for himself with a relation or friend, or anyone willing to take him in.

One peculiar part of the system was the Skole (school) Laegd; it consisted in boarding orphans, or the children of destitute parents, by turns, with the schoolmaster, when this latter had no fixed abode, but himself received

board and lodging at different farms, giving instruction, in return, to the children in the neighbourhood.

The law of 1845, by giving the poor a legal claim to relief, and making it consequently the duty of the wealthier classes to pay regular imposts, increased the burden of the latter, whilst the motives to self-dependence in the former were weakened. But this mischievous effect of a step which was in itself necessary in order to bring together under similar rules the chaotic elements of poor-relief, for some years escaped notice.

The next step, therefore, taken by the Government was, at the end of 1850, to order that a regular report of statistics should be prepared. At the same time, Eilert Sundt, a candidate for theology, a man whose instinctive wish was to devote himself to the care of the wretched, was enabled to institute inquiries throughout the land at the expense of the State, and to publish the results. The value of these statistics was now shown, for they soon demonstrated that there had been a steady and rapid increase in the burden of poor-relief. Again, in 1863, a new law was passed which greatly modified the right of claiming relief. Like the law of France, it gave only to orphan children and persons of unsound mind the right of being supported at the public expense. The sick and aged might be relieved, but not as a matter of right; the able-bodied, as a rule, were not relieved unless the Poor Commissioners expressly admitted the urgency of the particular case. The time of sojourn necessary for claiming relief was, however, shortened to two years instead of three.

Simultaneously with this restraint on the claims of the poor proceeded a limitation of the power of the administrative board, *i. e.* of the Poor Commissions so often named, to draw upon the resources of the opulent classes. They were obliged to simply submit the extent of their requirements to the executive of the commune, which then placed the sum required at their disposal. Hitherto they had raised the necessary impost directly by joint but immediate action with the authorities of the district.

In the year 1866 the Storthing went a little further by granting money to found a chief Poor Law Office under the Ministry of Improvement and Education, by which the statistics should be published annually instead of only once in five years, as hitherto. Eilert Sundt was appointed, and the first volume for 1866 lies before us, and will be found instructive, especially through the information collected by the chairmen of the Poor Commissions, who are in general clergymen. During 15 years the whole population had only increased one-fifth, whilst the number of poor had increased one-third, and the total amount expended, reckoning relief in kind with that in money, had nearly doubled. This does not, however, represent the whole weight of the burden, since during those 15 years, living in general had become dearer, and the state of things had undergone a change, even in the most remote valleys. The great improvement in all means of communication, which is one of the chief characteristics of our age, had begun to influence the inhabitants of the most solitary farms, by giving them the power of buying and selling. There was no longer so great a super-

fluity of firewood, since Norwegian wood had become an article of trade throughout Europe; and, consequently, wood was of a certain value in every part of the country. Since cotton had become so cheap, and might be bought of every little shopman and pedlar, the peasant no longer wore home-spun clothes of home-grown wool. And since the money which was needed to pay for clothing, might be gained by the sale of firewood, there was not so much of the latter to spare for the poor neighbour who had hitherto struggled on by getting a share of it. The farmer, who was now able to exchange everything for money, was not so ready to devote an empty room to his aged or crippled neighbour, receiving a mere expression of thanks in return. Medical help for the poor was never thought of formerly, now it formed a considerable item of expense in the more thickly populated regions. All these, and many other similar causes, have contributed to increase the burden of public poor-relief in a much greater degree than can be shown by any statistics.

In spite, however, of this change of customs throughout the country, recent inquiries show that the peasant still clings to the "Lægd" system in preference to relieving the poor with money. In some places coin is still rare, and is carefully laid by to pay the general taxes, &c.; he therefore thinks less of giving in kind, and in fact takes the old proverb literally, that it costs no more to feed one extra guest. The clergy, who are usually at the head of the local Poor Law officials, take a more enlightened view of the subject, but they are often outvoted

by the peasants; the latter defend their opinions by saying that to receive a poor guest in their own house keeps alive the feeling of voluntary benevolence, but to do away with this custom at once makes it a mere compulsory affair.

On the other hand, it would surely be quite as compulsory to receive a disagreeable supernumerary every day at one's table, whilst in the mind of the guest it can scarcely create a beneficial feeling to know that food and lodging must be provided for him whether he chooses to work or not; and many are the complaints against indolent and impertinent guests. To the old and infirm poor also it is a matter of dread to move from place to place over rough tracks, and often in severe weather.

Greater powers of control have already been given to the Poor Commissions; the plan of providing maintenance at the joint expense of the farmers is gaining ground rapidly, and it is hoped that many radical changes may soon be made in a system of poor-relief which is no longer suited to the state of society.

CHAPTER X.

FRANCE.

[By Dr. Maurice Block, of Paris.]

Historical Sketch.

France is not one of those countries which give a poor man a legal claim to relief—its law-givers and rulers unite with the leading economists in proclaiming that society has merely moral duties, *i. e.* such as are voluntarily undertaken towards the distressed, and that the latter can never have any actual legal claim to relief. In spite of the wording of some laws which may be taken in the opposite sense, this has always been the point of view of the French nation, and it has always been carried out in practice. Even when it was decided that a poor man had a claim to relief from his commune, it was always supposed, and sometimes even expressly mentioned, that relief could only be given as far as the means, voluntarily subscribed, would allow. The imposition of a special poor-tax, so it was said, was against the ruling principles; besides which the duty of dispensing public charity was not always laid upon the commune, but sometimes on the province (or department), and sometimes on the State.

SEC. 1. RELIEF OF THE DISTRESSED.

The charge, and if possible the maintenance of the local poor, when they become old and infirm, seems always to have been the duty of the commune in France. This was put in express terms as early as 567, at the Council of Tours. Practically the care of the poor, with but few exceptions, was left to private charity; alms were distributed by rich burghers, and by the monastic houses without any legal obligation. In 1536, Francis I. issued an order commanding the parishes of the city of Paris to relieve the local poor; in 1544 he renewed this and created a "Bureau général," consisting of 13 burghers and 4 members of the "Parlement" who had the power to levy a poor-tax and distribute relief; it seems, however, that they never got beyond making collections. Henry II., by an order of the 9th of July, 1547, went a step further by imposing a regular poor-tax on every citizen of Paris. This order gradually spread to many other places in France; "Bureaux de bienfaisance" were formed, consisting of burghers of importance and the clergy, but, except in Paris, the funds arose more from collections than from regular taxes; in Paris the poor-tax existed until 1789.

The Revolution destroyed all the old institutions, both bad and good alike, and a decree of the 23rd Messidor, II., confiscated the property of all charitable foundations. Shortly before, a law of 1793 had declared that it was the duty of the State to support the poor, and that the neces-

sary funds must be drawn from the State treasury, divided amongst the departments and through these given to the communes. When the first frenzy had passed, people sought to introduce more practical ideas. Even in the second year of the Republic some advance was made by deciding where a poor man might ask for relief, and by imposing the duty of giving it on that commune in which the needy person was settled. Then came the laws of the year V., which gave back the property of the charitable institutions, and re-established the "Bureaux de bienfaisance"; finally the law of the 7th Frimaire, V., which, in connection with the royal orders of the 31st October, 1821, and the 6th of June, 1830, and, lastly, with the law of August 7, 1851, forms the foundation of the whole arrangements of the present time. For Paris itself there is an especial legislation.

The law of Frimaire assumes that there exists in every commune a Bureau de bienfaisance; where, however, there is none, its formation depends on the judgment of the local authorities, and, since the Bureau alone is commissioned to give relief, practically, therefore, the whole arrangements for relieving the distressed rest with the municipal council. The number of members forming the Bureau is always five, appointed for five years by the prefect, one member retires annually, but may be re-elected, which is usually the case. Some people think this a bad plan, since, if a work of charity becomes official, all the errors which creep in are more likely to become permanent. The prefects have a strict right of supervising the Bureaux de bienfaisance, and may require

that regulations should be drawn up in writing. These regulations are to declare how often meetings take place, how many agents there are, and what are their obligations; upon what principles the poor are admitted to relief, and gifts distributed. In the larger towns the Bureaux have some paid officers, for instance, a permanent secretary, who is often treasurer, who must also give security and send in accounts; but the actual dispensers of relief, like the five members of the Bureau, act without remuneration. The Bureaux may also appoint assistants, and "Dames de charité," for special portions of the town. The receipts of the Bureaux consist, first, of the income derived from the landed or other property belonging to them, next of collections made in church or elsewhere; of gifts and legacies (the latter can only be accepted with the consent of the prefect, and should the family be opposed, only with the approbation of the Council of State), and of taxes for the poor on public theatrical representations. This tax was called the "droit des indigents," and since 1817 it has appeared annually in the budget as one of the permitted local taxes. For some time past there has been much agitation against this tax, which consists of one-tenth (strictly speaking, one-eleventh, since one-tenth is to be added to the prices) of the receipts at all daily, or almost daily, public shows, concerts, &c. The funds consist also of one-quarter of the receipts of balls and other occasional festivities (not official), and, lastly, of grants from the communal treasury. These grants are purely voluntary "inspirés par l'humanité," for the communal order of the 18th July, 1837, does not include

them amongst obligatory taxes. The matter once came before the Council of State, which decided (resolution of the 18th December, 1841, on the commune Geffose) that a commune could neither be compelled nor allowed to impose on itself a poor-tax, "for the *taxe des pauvres* is opposed to our customs and the principles of our legislation." But we should also remark that a commune desirous of distributing alms has no means of doing so except through the Bureau de bienfaisance.

The Bureaux are exclusively intended to relieve the out-door poor in contradistinction to those institutions which, like hospitals, &c., remove the poor man from his home and family. Their funds, therefore, must not be expended on such of the poor as are removed to hospitals or asylums. The alms must be expended at the houses of the poor, and hence it is the duty of the Bureau to inquire whether the applicants are really residing there. A register is to be kept of the permanent as well as casual poor, with the particulars as to their circumstances. Of course, the causes of the destitution, the age, number of the children, &c., are entered. A Ministerial "Instruction" of 1823 requires that work should be provided for the able-bodied poor as often as possible, and recommends that relief should be given in kind, *i. e.* bread, meat, wood, and blankets. We shall here transcribe the words of the Minister of the Interior in a circular of the 5th of May, 1852, as his view of the Bureaux is much the same as that taken at the present time. "It seems to be more hurtful than beneficial to found institutions which do not possess regular incomes,

but merely manage casual ones. We should thus expose ourselves on one hand to the danger of encouraging pauperism, by accustoming people to reckon more on public support than on their own industry, and, on the other, of offering them a treacherous bait (*appât trompeur*) by giving them the hope of receiving relief, which we shall in all probability be unable to afford them; in this way claims (*exigences*) arise, which, if they remain unsatisfied, are apt to use the good which society had the will but not the power to effect, as a weapon against it. We feel, therefore, bound to conclude from this, that we must confine ourselves to establishing Bureaux de bienfaisance only in those communes where local distress calls for them, and where, in the absence of special endowments, there is a just expectation that the subscriptions of private wealthy individuals, or the grants from the communal treasury, will prevent the institution from becoming a mere illusion."

Having thus given an insight into the state of the "Bureaux de bienfaisance," we must now proceed to some account of their statistics.

There are two accounts of the statistics of poor-relief in France; one published by Watteville (Inspector-General of Public Charity) in the name of the Minister of the Interior; and another published by the Office of General Statistics, in the Ministry of Agriculture and Commerce. As the latter includes reports from the years 1833 to 1861, we shall choose that as our guide, premising, however, that the figures must be taken as only approximatively correct, since the two accounts differ in many cases, though drawn up with equal care.

The number of "Bureaux de bienfaisance" was as follows:—

In the years	Number of Bureaux.
1833	6,275
1843	8,174
1853	11,409

Up to this time we find the increase constant; henceforth, it varies thus:—

In the years	Number of Bureaux.
1854	11,368
1855	11,469
1856	11,356
1857	11,344
1858	11,327
1859	11,166
1860	11,366
1861	11,563

The number of persons relieved during the year varied from 751,311, in 1833, to 1,213,684, in 1860. For 1861 we find the number computed at 1,159,539; we may therefore conclude that, apart from private charity, about 1,200,000 persons are annually relieved in France.

The medium amount of relief is small, as will appear from the following table:—

AVERAGE ANNUAL AMOUNT OF RELIEF PER HEAD.

	Fr. c.		Fr. c.		Fr. c.
1833–37	9 40	1853	12 06	1857	12 34
1838–42	10 54	1854	13 03	1858	11 20
1843–47	12 03	1855	12 87	1859	11 66
1848–52	11 56	1856	14 22	1860	11 55

In 1861 the average annual amount of relief was 14 fr. 16 c., from which we can judge how small must have been the minimum.

Watteville and the Office of Statistics differ as to the

amount of income possessed by the Bureaux de bienfaisance; but, in some cases, this is explained by the fact that the former reckons only the actual year's income, whilst the latter includes the balance of the past year in the sum-total. According to Watteville, we find that, in 1847, 7,018 bureaux possessed an income of less than 1,000 fr. (145 possessed less even than 10 fr.), 2,085 possessed from 1,000 to 10,000 fr.; 221, from 10,000 to 100,000 fr.; and 12 possessed over 100,000 fr.

According to the Office of Statistics, the amount of revenue possessed by the bureaux collectively was, in the years—

	1858. Fr.	1859. Fr.	1860. Fr.
Revenue	19,672,839	19,312,392	22,517,148
Expenditure ..	18,949,617	19,943,222	21,859,964

The expenditure is divided into three heads, of about the following proportion :—

Expenses of Management	16 per cent.
Relief	64 ,,
Capital Invested	20 ,,
Total	100

The item of relief, divided in the same way, gives us about the following proportions (we take the year 1860, as the others do not materially differ from it) :—

Food	54·87 per cent.
Clothing	5·96 ,,
Firing (usually wood)	4·62 ,,
Medical attendance and drugs	6·49 ,,
Other relief in kind	6·87 ,,
Relief in money	21·19 ,,
Total	100

We have been speaking here of the division of the above-mentioned 64 per cent. of the total expenditure.

Judging by the foregoing figures, it would seem that the number of those relieved rose, or appeared to rise, as well as the amount of money to be shared among them; but it must be remembered that the arrangements for their relief extended over a greater number of communes, the number of communes in France being 37,548. These statistics do not, however, give us the total number of poor. As a rule, only the towns and larger villages possess Bureaux de bienfaisance, but it is obvious that there must be many poor persons living in the rural communes. Several attempts have been made to compute the total number of poor in France, but the only number which can be accepted as satisfactory is that given by the Finance Control in 1861, *i. e.* 1,495,729, the number of those exempted on account of their poverty from the payment of taxes.

We must now say a few words about beggars. Begging is forbidden, and has been so for centuries. According to resolutions of the Parliament of Paris, of the 29th August and 24th October, 1596, hanging or strangling, without any form of trial, was the punishment for beggars who were caught in Paris after 24 hours. Orders from 1764 to 1777 threatened beggars with the galleys. At last, in 1808, a decree of July 5th ordered that every department should have a "dépôt de mendicité" which, however, has never been completely carried out. Sometimes one of these dépôts, or workhouses, is appointed for several departments, and they have been

already established for 59 departments. In 14 more, measures have been taken for establishing them.*

Beggars received into these institutions are obliged to work, and they receive half the wages they would thereby earn, the other half is kept by the institution, with the exception of 1 franc per month; the money earned is not handed over to them until they leave the dépôt. Regular vagabonds or vagrants are not sent to these workhouses, but are brought before the police magistrate, and sentenced to imprisonment as a punishment. There have been several reports drawn up as to the number of beggars, but we shall here follow Watteville. In 1847, the number of beggars, exclusive of vagrants, was,

In the chief towns of the departments	52,011
In the chief towns of the cantons	94,138
In the rural communes	191,689
Total	337,838

the total number of inhabitants in these towns and communes being computed in round numbers at 16,000,000. The chief towns of the departments include the larger towns, Paris being in this sense the chief town of a department. The canton is a subdivision of the department, and contains from 15 to 20 communes. The chief town of a canton is a small town or large village; Mühlhausen was till lately the chief town of a canton. Rauboix and Turcoing are so still.

* There were, in 1869, 89 departments in France, three having been added to the original number by the annexation of Savoy and Nice.—(*Tr.*)

SEC. 2. ASYLUMS AND HOSPITALS.

In former times, these were mostly ecclesiastical foundations; but, in 1698, they were, by a royal decree of the 12th December, made over to the communes. After the destructive days of the Revolution they were, by the law of the 16th Vendémiaire, V., re-established, but the principes on which their existence rests now are mainly founded on the Royal Orders of the 31st October, 1821, and 6th June, 1830. According to these, the asylums and hospitals are now "Communal Corporations," which have a certain legal standing, can hold property, and buy and sell in their own names, at first under communal superintendence, and afterwards, like most of the communes in France, under higher guardianship; that is to say, a sanction is required for every important act of administration. An Administrative commission of five members is appointed to manage all the asylums and hospitals in the commune; (the Bureaux de bienfaisance are distinct bodies, except in Paris). When the total income amounts to less than 100,000 francs, the members of the commission are appointed by the prefect, but if it exceeds that amount they are appointed by the minister. Whoever appoints the commission also approves the budget and the rules for the internal arrangements of the institutions. Their income is drawn from exactly the same sources as that of the Bureaux de bienfaisance; but, with the addition, in many cases, of com-

pensation for services rendered (there is a fixed price per diem for a single room, with nursing, &c.). Asylums for the insane and for foundlings receive a portion of such compensation from the communal and departmental funds. There are general as well as special hospitals, the Hôpital du Midi, in Paris, being one of the latter. Of course, a hospital can only receive as many patients as it has beds for, but when epidemics are rife temporary lazarettos are organised.

The statistics of hospitals vary so little from year to year, that we shall only mention that on the 1st January, 1869, there were 415 hospitals; 291 asylums; and 851 establishments which comprised both; in all, 1,557: and from 1854 to 1860, about 464,000 persons were received into the hospitals for the sick during the course of each year. The finances of the latter cannot be separated from those of the other institutions, which are managed in common with them; their income in round numbers was 85½ million francs in 1853—a higher amount was reached in 1857; *i. e.* more than 105 million francs, but this was in consequence of extraordinary receipts. The income of hospitals consists in these main divisions: ordinary receipts; extraordinary receipts; repayments; and balances from the past year. The repayments comprise, besides the money received for the care of patients possessing some property of their own, also the amount paid for the care of their sick by communes possessing no hospitals or asylums.

Under the head of ordinary receipts for 1860, we find—

Rent of "immoveable" property	14,727,538
Income from Government investments	9,393,929
,, Communal ,, ...	285,668
,, Miscellaneous ,, ...	736,229
Interest on other capital	1,522,597
Profits on the lending establishments (Monts de piété)	113,047
Grants from the Communes	12,545,097
Poor-tax on theatres	1,737,736
iMscellaneous receipts	7,704,909
Total	48,766,750

The extraordinary receipts comprise the amount arising from legacies, about three million francs annually; the extraordinary communal grants, which seldom amount to two millions; the loans, which bring in only a few hundred thousands; for the rest, only passing items; for example, the amount produced by the sale of landed property is put down as an extraordinary receipt, but the same amount being immediately invested in State "Rentes," it is entered as an extraordinary item of expenditure.

The total expenses amounted for the year 1860 to 81,866,185 francs. About 75 per cent. of this sum may be considered ordinary expenditure, which, taking an average of the years 1857 to 1860, may be divided thus: —the officers, 13 per cent. (of the ordinary expenses); materials (firing, washing, and sundries), 29 per cent.; food, 40 per cent.; drugs, 4 per cent.; expenses for the foundling children, 14 per cent.

The hospitals alone contain about 70,000 beds. These

and the asylums together had, in 1847, about 126,000; and, in 1869, about 141,000 beds.

Sec. 3. Foundlings and Deserted Children (*Enfants assistés*).

The maintenance of foundlings, orphans, and illegitimate children rests upon a decree of January, 1811; upon an instruction of February, 1823; and upon a law of May 5th, 1869. According to these no child is allowed to perish for want of care. Foundlings, orphans, and deserted children (*i. e.* those whose mothers, generally unmarried, say they are unable to support them) become a charge to the nearest asylum. Until 1869 the asylum only bore the "home" expenses, or those actually incurred within it, for the nurse (*nourrice sédentaire*), for washing and clothes. The "out-door" expenses were partly laid on the commune, and partly on the department. The "out-door" expenses consist in those incurred for placing children under the care of foster fathers (*pères nourriciers*), usually in the country. Thus in 1868 the "*Enfants assistés*" cost altogether 11,300,171 francs, of which 2,570,171 francs were borne by the 154 regular asylums for foundlings, whilst 8,730,000 francs were paid by the departments and communes. By the law of May, 1869, the expenditure is divided into "home," "out-door," and "inspection" expenses. The first, or "home," we have already specified. The second, or "out-door," consists of—1. Temporary assistance to unmarried mothers in order to prevent the desertion of

children (this is new and important); 2. The allowances to the "*pères nourriciers*," school-money, &c.; 3. Clothing; 4. Travelling money for nurses and children; 5. Printing, &c.; 6. Expenses in time of sickness and for burials and apprentice fees. The "inspection" expenses comprise the travelling expenses of inspectors, &c. The new law, instead of once for all appropriating certain receipts to special expenses, throws the "home" and "out-door" expenses together, and then enumerates certain funds destined for their liquidation, the State undertaking to pay for inspection and superintendence. It is reckoned (counting the whole expenditure at 11,300,171 francs) that the new arrangement ought to produce a decrease in the expenditure of the asylums of 1,560,000 francs, and an increase in the communal and departmental expenses of 710,000 francs, adding to the State a new burden of 850,171 francs. Let us now cast a glance at the former state of affairs, and compare two epochs 30 years apart:—

	1828.	1858.
"Home" expenses ..	1,813,624 frs.	2,270,565 frs.
"Out-door" ,, ..	7,981,113 ,,	7,011,415 ,,
Total	9,794,737	9,281,980
Number of children ..	112,730	80,894
Number of those maintained, but left in their mothers' care ..		12,511

This proves that the number of "Enfants assistés" has decreased, and in 1868 we find that there were only 67,000 children to be supported. This decrease is sometimes attributed to the plan lately introduced of helping unmarried mothers to support their children at home in

order to break them from the idea of leaving the latter to public charity. The amount given is about equal to what the nurse would receive in the asylum. It may also be attributed to the closing of the "tours," or turning boxes, in which the child was placed at night, and thus received into the Foundling Hospital without any necessity for the mother to make herself known. In 1812 there were 235 of these tours; since that time a certain number have been closed every year, so that in 1860 there were only 25 left. The probability that this might lead to more infanticide, and other arguments of the same kind, were alleged against the measure, but it seems to have had no bad results.

SEC. 4. ASYLUMS FOR THE INSANE.

It is a matter of course that all insane persons who, for reasons of general safety, cannot remain with their families, should be placed in an asylum, and of these only such as have no means must be paid for by others. Who, then, is to pay for the destitute? The law of June, 1838, lays the charge on the funds of the department; the commune contributing one-third, if able to do so; of the smaller communes only one-sixth, or even a smaller proportion, is required. The number of insane persons —or at least of those who are received into special asylums and are unable to pay—is increasing. In 1844 we find them reckoned at 12,753; and the total expenses, including those of the State institution at Charenton, at 5,286,025 francs. The number of insane poor for

1868 is given as 24,052, and the expense at 9,320,954 francs.

There are now 103 establishments in all; 46 special public institutions (*asiles publics*), 16 quarters set apart in other asylums, for which the latter receive payment from the funds of those departments and communes whose poor are received there; 17 private establishments, to which the poor are sent in the same way as to the *asiles publics*, and paid for; and 24 private establishments (*maisons de santé*) for the wealthier classes.

SEC. 5. INSTITUTIONS FOR THE CARE OF THE AGED, AND FOR VARIOUS OTHER OBJECTS.

The institutions for the aged, if they do not form a division of some hospital, depend for funds on their original foundation; and these need more or less supplementing by grants from the commune. Some admit only old men, without any payment; others require a small sum as entrance-money—others a small payment, in which case a husband and wife are allowed to form a separate *ménage* in their own room. They are all under the superintendence of the Administrative commission, and their accounts are published with those of the hospitals. In the seven years from 1854—1860 there were, on an average, in these institutions, 19,646 old men, and 26,674 old women.

The lying-in hospitals, also under the superintendence of the Administrative commission, are few in number, and only to be found in large towns, such as Paris and

Bordeaux. There are many reports which prove that fever spreads rapidly in these hospitals, and the plan of providing poor women with medical care and nursing at home seems greatly preferable to collecting them together.

The societies for this purpose, called "Sociétés de charité maternelles," have lately been united as a kind of public institution by the Imperial Government, the Empress being acknowledged as their patroness, and the State granting them an annual subsidy.

There is much interest taken about children; but in spite of foundling hospitals, orphanages, the superintendence of nurses, and of children as they grow older, there is great mortality amongst them. There are many private orphanages, including some specially Roman Catholic, Protestant, and Jewish, and one called the "Orphélinat du Prince Impérial," but though a report of it is published annually in an official paper, it is, in fact, a private foundation by the Imperial family.

The "Crèches," or infant nurseries, are sometimes purely private institutions; sometimes adopted and supported by the commune. Their object is to take charge of infants, so as to enable their mothers to go to work, and the elder brothers and sisters to attend school. The first Crèche was established in Paris by Marbeau, in 1844, and there are now many, in spite of some opposition founded on the idea that it is a mother's natural calling to take care of her children at home, as is so incomparably drawn by Schiller in his poem of the Bell. But if poverty obliges the mother to work, it is surely better that the child should be properly cared for,

even by comparative strangers, in a clean cradle for one *sou* a day, than be left alone, or only in the charge of children. The Crèches are chiefly supported by voluntary contributions. This was the case formerly with the "Salles d'asile," or institutions for the care of young children, which are now supported by the commune, and considered preparatory to the Elementary schools. The first Salle d'asile was opened in 1826 for children from two to six years old; but it was not till 1837 that they were undertaken by the French Government. There are now several thousands of these "Salles," and the Fröbel gardens for children are beginning to be adopted.

We must also mention the "Ouvroirs," which exist in most departments. Work is provided in them for young girls, numbering altogether about 30,000, at a total cost of 400,000 fr.

The communes are bound to pay for poor scholars at the Elementary schools, and also to provide that there should be many scholarships (bourses) for a middle-class education.

Under the head of "Miscellaneous Charities," we must reckon an institution for giving medical attendance gratis (médicine gratuite). In 1867, such institutions existed in 50 departments. The communes, the charitable institutions, the departments, and the State, contribute to the expenses, which amounted to an average for each sick person of 5 fr. 31 c., *i. e.* 2 fr. 74 c. for the doctor, 2 fr. 61 c. for food and medicine, and 6 c. for extras.

Amongst the list of charitable institutions, we find also the Monts de piété, for lending money on pledges; pro-

bably, they are only so reckoned because their profits go to the charitable institutions. The Mont de piété in Paris has more than 20 offshoots (succursales), but it is scarcely possible to consider them as really devoted to charity. It is well known that many merchants have dealings with them; they encourage workmen to borrow on pledge, in order to spend more during the carnival; many stolen goods are got rid of by bringing them to these establishments, and when the really needy man comes to them, he is usually charged 9 per cent. interest. It should, however, be mentioned that in Grenoble, Toulouse, and Montpellier, no interest is charged, and in Angers only at a very low rate for sums exceeding 5 fr., while for larger sums, above 40 fr., only 1 per cent. is taken; but the total amount of business transacted is extremely small in these latter establishments. Money is lent only to persons who are acquainted with the administrator. The chest is opened only once a week.

In April, 1850, a law was passed appointing a communal commission to inspect unhealthy dwellings (logements insalubres), with authority to close them or cause them to be improved at the expense of the proprietor. This has been of the greatest benefit to the poorer classes.

SEC. 6. GENERAL CHARITABLE INSTITUTIONS.

Etablissements généraux de bienfaisance.—This is the name given to nine institutions under the care of the State. The origin of some is extremely ancient, of

others quite modern. They depend partly on their own revenues, but, in case of need, receive a subsidy from the State, and are under the superintendence of the Minister of the Interior. By the decree of the 8th of August, 1865, they were also placed under the patronage of the Empress, which means, that all important benefits were conferred in her name. There were dynastic reasons for this on which we do not enter. The principal reason for making these nine charitable establishments State institutions, instead of making them over, like all others, to the communes, is, that the misfortunes they are intended to alleviate, are too rare for single communes to be able to devote to them special institutions; they now, however, fall short of supplying the need of all the unfortunate, and it has been found necessary to seek other means of relieving them.

No. 1 is called "Quinze-vingts" or asylum for 15 by 20. It was originally intended for the care of 300 blind persons, and was founded by Louis IX. It has now both in-door and out-door pensioners. The former have rooms, that admit of being warmed, for themselves and their families, but no food except, every second day, 2½ lb. of bread. But the wives who have their sight, and are taken in with their blind husbands, have daily 1 fr. 30 c., and every child has 15 c. up to their fifteenth year when they are sent to be taught. Girls alone can remain with their parents up to their 21st year. The blind husband has a complete clothing every two years, and 25 fr. when his wife is confined, and 30 fr. when a child is admitted to confirmation. There are, besides,

other small advantages. The 1,200 out-door pensioners receive an allowance varying from 100 to 200 fr., and they, as well as the in-door pensioners, may earn money in any honourable way, but are not allowed to beg. To be admitted, one must be French, incurably blind, and at least 40 years old, and poor. The oldest and poorest are preferred, and, as it is said, those who have the best patrons. In 1866, the receipts were 475,851 fr., and the expenses 469,299. Of the income, 121,000 fr. comes from estates, the rest from funds, the chief part being interest on five million francs by a State endowment. The asylum of the Quinze-vingts is situated in the Faubourg St. Antoine, Paris.

No. 2 is a very old Hospice in the Alps, called Mont Genèvre, on the road from Briançon to Susa, where travellers between France and Italy find shelter and refreshment. It is on the same plan as the well-known Hospice of St. Bernard, but has only 25 beds, and its revenue does not exceed 17,000 fr. Since the decree of the 28th Thermidor, X., it has been a State institution.

No. 3 is the Lunatic Asylum of Charenton. It was founded by Sebastian Leblanc on the 12th September, 1341, and was managed by a benevolent fraternity until the Revolution, when it became a State institution. It seems now quite unnecessary to keep it up as such, since there are plenty of public and private asylums. The inmates are mostly admitted on payment; the sum being, since the ministerial resolution of 1856, for the 1st class, 1,500 fr.; 2nd, 1,200 fr.; 3rd, 900 fr.; besides 900 fr. for a

male attendant, and 800 fr. for a female, for those who have a separate room. There are 570 boarders (300 men and 270 women), and only 79 free admissions (bourses), 22 of which are usually divided into half-admissions. The income is 728,392 fr., and expenditure 697,422 fr. The State gives a subvention of 66,410 fr., and appoints the director and doctors. Interesting as Charenton is on other accounts, it is not an "Établissement général de bienfaisance."

Nos. 4, 5, 6, are institutions for the deaf and dumb. The institution in Paris, for about 200 boys, was founded originally by the Abbé de l'Epée, taken under the protection of the king in 1778, and adopted by the Revolution in 1791. Since 1859 it has been re-organised, and instruction is given according to the most approved method. Parents who can afford it pay 1,000 fr.; for there are only 140 free admissions, and most of these only partially free, out of from 200 to 220 places. The institution at Bordeaux, hitherto containing only 108 girls, may now receive 200. It was founded in 1785 by the Abbé Sicard, and became a State institution in 1841. At both these institutions pupils who can pay are received; but as there are many "free admissions," probably by far the greater number are admitted either partly or entirely free. At Chambéry, in Savoy, about 50 children, boys and girls, are received; it became a State institution in 1861, but the few hundreds instructed are as nothing compared to the numbers who need it, and for the last two or three years an attempt has been made to instruct the deaf and dumb with the

other children in the national schools. Meantime the institutions for the deaf and dumb cost the State—

	Francs.		Francs.
That at Paris ..	150,000	Total receipts ..	250,694
,, Bordeaux	63,000	,, ..	87,005
,, Chambery	35,000	,, ..	59,665

No. 7 is the "Imperial Institution for Blind Children,' founded in 1784 by Valentine Haüy, and adopted by the State in 1791. It is intended for pupils who can pay as well as for those who cannot; but of 199 children, of whom 138 are boys, the full sum is paid for six only. All the other children have scholarships, founded not only by the State, but also by departments and communes. The total income is 240,000 fr., of which 146,000 fr. is a State contribution, and 6000 fr. from the scholars. The rest is rent from property belonging to the institution.

Nos. 8 and 9 are convalescent hospitals for the working classes, the Imperial Asylum of Vincennes, founded in 1855, for men, and the Imperial Asylum of Vésinet, founded in 1858 for women. The Emperor paid the first cost of that at Vincennes out of his private fortune, and endowed both hospitals by building 16 workmen's houses (each containing several dwellings) on a piece of ground belonging to him in the Boulevard Mazas, in Paris, and making over the profits to the funds of Vincennes and Vésinet. Besides a subsidy from the State, there are other sources of revenue, such as 1 per cent. levied on the profit of all public works in the department of the Seine, and deducted from the money of the contractors, according to the Regulation of the 3rd January, 1858;

subscriptions by the Mutual Aid Societies for the benefit of their members, and by manufacturers and proprietors of foundries for the benefit of their workpeople, and from the workmen themselves; and an annual sum of 75,000 fr. from the Monthyon foundation for convalescent workmen, which was formerly paid directly to them in money. Since 1862, the State gives a yearly subvention to both institutions of 156,000 fr., and there are donations and legacies, and the rent of the 16 houses mentioned above. The conditions of admission vary, a small payment being required in some cases. In 1865, there were 10,488 men received at Vincennes, and 4,742 women, 688 children at Vésinet, for an average stay of 23 days.

SEC. 7. AID IN CASE OF EXCEPTIONAL DISASTERS.

There are several laws, the first of them having been made during the Revolution, by means of which a fund is raised for relieving neighbourhoods visited by destructive hailstorms, cattle disease, fire, or inundations. This fund, which since 1868 has exceeded 2,150,000 fr., is raised by adding 1 centime to the land tax, and 1 centime to the tax on moveables. Sufferers from permanent loss receive an equivalent of from 4 to 6 per cent.; those who are only temporary losers, from 2½ to 3 per cent. This would appear to confer the mere shadow of a benefit, but in cases of wide-spread disaster the fund is insufficient, and then there are public subscriptions, and the Government appoints a commission; the citizens contribute what they please, and in order that the amount raised

should be sufficient, a gentle pressure is put on the officials by the higher powers; *e.g.* at the end of the month so much is withdrawn from their salaries. They grumble, but submit.

We must next mention the immunity from stamps and fees, and the "Assistance judiciaire," dating from the law of the 22nd of January, 1851, which grants to a poor man the free services of an attorney and advocate. In every court of justice from the highest to the lowest there is a commission consisting of lawyers and treasury officers, to whom the poor man must apply. If they are satisfied that there is sufficient reason for the suit, and also of his inability to pay, they grant him legal assistance, including freedom from costs and from stamp duty, &c. Should the suit be gained, the loser pays the costs if he has the means, if not, they are lost; 4000 such suits are annually brought before the courts, and about three-fourths of them are gained. We need scarcely add that considering the costliness of lawsuits, it is only this "Assistance judiciaire" which enables a poor man to make his claim good.

SEC. 8. STATE SUBSIDIES TO INSTITUTIONS FOR SELF-HELP.

These institutions are the Savings-banks, the societies for Mutual aid, the Old age fund, the State life insurance, and the State insurance against accidents.

The first savings-bank was established in Paris, in 1818, by Benj. Delessert, and several other rich and benevolent persons in the injudicious form of a "com-

pagnie anonyme," the founders subscribing funds for the original capital and presenting it to the bank. Similar companies were established in other towns; in Metz, Nancy, and Avignon, the Monts de piété receive savings and give interest; and in other places the communal council has established savings-banks. There are now altogether in France, excluding those three towns, 512 savings-banks, all municipal institutions, but the Government will not sanction any more. Their actual revenues consist of from one-quarter to one-half per cent. of the deposits; of grants from the communes, 57,494 fr. in 1866, and from the departments in 1866, 19,120 fr.; of gifts and legacies 33,617 fr.; and of the interest of capital, 444,273 fr.; but these revenues only suffice for the salaries of the paid officials, and to constitute a reserve fund. The directors give their services gratuitously, and the interest on the deposits is paid by the State. At present the deposits are restricted to 1000 fr.; anything exceeding that sum is *ex officio* invested in State "Rentes," in the name of the depositor. Thus, though money entrusted by the public to savings-banks owes its existence to the principle of self-help, these banks are, nevertheless, charitable institutions. The first report on their statistics was published in 1835. There were then 151 savings-banks (excluding those in Paris), owing more than 24 million francs to the depositors. The numbers rose steadily, and, in 1846, there were 344 banks, about 550,000 depositors, and a sum deposited exceeding 294 million francs. In 1847, the number of depositors slightly increased, in spite of the scarcity, though the sum deposited fell to 278 million

francs. The Revolution came in 1848; everyone wanted money and the State had none; it was obliged to declare itself insolvent, and to convert the money owed to the depositors into State "Rentes." Still the State maintained the confidence of the saving part of the population; and thus we find at the end of 1849, more than 561,000 depositors, including those in Paris, and 73 million deposited. The numbers increased gradually, and on October 31st, 1868, the debt to the depositors was nearly 604 million francs.

Mutual Aid Societies.—There are three kinds of these institutions in France: the "Free," which need only a sanction from the Prefect, and are merely private associations, having simply the right to exist; the "Acknowledged," which enjoy the rights of corporations; and the "Approved," which enjoy nearly all the rights of corporations and certain favours besides, in requital of the nomination of the president by the Government: for instance, their documents are free from stamp duty, the diploma of a member serves as a passport, they may accept legacies under 5000 fr., and they can obtain a subsidy from the fund of 10 million francs, which was taken from the confiscated property of the Orleans family by the decree of January 22nd, 1852. The State interferes still further, inasmuch as a "Higher Commission" is entrusted with the management of the Mutual Aid Society. Its members give their services gratuitously, and in many societies there are honorary members who pay their subscriptions without expecting any return.

In 1867 there were 5,829 societies, of which 4,127

were "approved" according to the principles of the decree of the 26th of March, 1852, their capital amounting altogether to more than 46 million francs, and the number of members being 862,795; and in that year the above-mentioned fund of 10 millions assisted with grants, amounting to 54,875 fr., 133 funds which had fallen into distress.

Old Age Fund.—This was set on foot by the law of the 18th June, 1850. Anyone by paying in the necessary sums, can secure an annuity in the "Caisse de Retraites." At first the maximum annuity was 600 fr., then 1,200 fr., and now it is 1,500 fr. The salaries of the officials, and all expenses connected with this institution, are paid by the State, which would be a loser by the undertaking, because the present tariff makes the duration of life too short, but that the depositors receive at the rate of 4½ per cent., whilst the money is invested at nearly 4⅔ per cent. The depositor may, if he pleases, reserve the capital for his family; in which case his pension would, of course, be so much smaller. From the establishment of this fund in 1850 to the 31st December, 1867, there have been 287,168 depositors, who have made 2,380,187 deposits of the value of 112,220,935 fr.

Insurance Funds in case of Death and in case of Accidents.—These two funds were originated by the law of the 11th July, 1868. The object of the first is to guarantee a sum (the maximum being 3000 fr.) to the families of those who have purchased an interest in it, either by one large payment or repeated smaller ones. It is considered a benevolent institution, because the State

pays the officials, and it is said that insurance societies are not willing to undertake such small accounts.

The Insurance fund against accidents, is to provide against any ill that may betide during the year, and requires a payment of 3, 5, or 8 fr. per annum. A distinction is made between the accidents which disable a man totally and those which disable him partially (*e.g.* if he loses a hand he can still earn something as a messenger), in the latter case he only receives half of what he could claim if totally disabled. The revenues consist of, 1. the deposits of those who insure; 2. a subsidy from the State of 1 million francs; 3. gifts and legacies. Now, the person suffering from an accident can claim a compensation equal to 320 times his deposit, on the theory that one workman out of every 320 meets with an accident, and an equal sum is added as a gift from the sources 2 and 3. Therefore 640 times the deposit is the sum paid over from the Insurance Fund in the name of the person totally disabled, to the Old Age Fund, and from this fund the annuity is paid; this annuity cannot be less than 150 fr. for an annual deposit of 3 fr., nor less than 200 fr. for an annual deposit of 5 fr. If an accident should cause the death of the person insured, his family would receive a sum equal to two years' annuity. These funds were established so lately that no statistics are as yet to be obtained.

SEC. 9. POOR-RELIEF IN PARIS.

It has been already mentioned that the administration of poor-relief in Paris is regulated by a special law passed on the 10th January, 1849. Until this time there had been a board, consisting of the Directing council and the Executive committee, but this division of authority practically destroyed all responsibility. The law of 1849 placed one director, called "Directeur de l'assistance publique," at the head of out-door relief, hospitals, foundling hospitals, lunatic asylums, and other institutions of the kind, as a central authority; the director himself being subordinate to the prefect, who proposes him, and to the Minister of the Interior, who appoints him. Associated with him is a Council of surveillance, the prefect of the Seine being chairman, and the director cannot undertake anything important without the concurrence of the council. He appoints the officials, subject to some exception in the case of doctors; proposes the budget, and gives in the accounts—the actual payments are made by special officers. He represents the charitable institutions in the courts of law, and superintends the guardianship of foundlings and orphans, and, in case of necessity, of lunatics. The Council of surveillance, which sanctions the budget, and must be consulted on all matters relating to the property of the charitable institutions, is formed of members of the Town council, of councillors of State, councillors of Appeal,

members of the chamber of Commerce, professors of Medicine, &c.

We see how liberally poor-relief is carried on in Paris, from the fact that 4,349 paid officers, and 1,989 doctors, nurses, &c., were employed in 1867. There were in that year about 1000 persons on the medical staff, students in the fourth and fifth years of study. These appointments are much sought after, and are only given by competitive examination. Not including the military hospitals, there are eight general and seven special hospitals in Paris, and three which are situated beyond the town; one of these is at Berck-sur-Mer, Pas de Calais, for patients needing the benefit of sea-air.

Let us now take the various divisions, and begin with out-door relief. Until 1860 there were 12 "arrondissements," but, since the enlargement of the town, their number has increased to 20. In each "arrondissement" there is a Bureau de bienfaisance, consisting of the mayor and chairman, two assistants, and twelve unpaid members, called "administrateurs," appointed by the prefect. These 15 form a committee, and manage almost independently the funds entrusted to them, which consist: 1, of the sum made over to them from the central treasury; 2, of the result of their special collections in church, or from house to house; 3, of gifts directly made. The amount at the disposal of the bureaux varies every year, but as a whole it increases, and now exceeds four million francs. A meeting of delegates from the bureaux is held annually, under the chairmanship of a higher officer from the Central council.

At this meeting it is first determined, by taking the average of the last three years, how much each bureau may count upon from collections (in 1866 it was 946,094 fr.), &c., and then how much this will allow for each household requiring relief. Each bureau then receives a proportionate share of a sum of 500,000 fr., called "subvention ordinaire;" also a "subvention" in bread, the aggregate value of this latter being about 700,000 fr. The bureaux which are unable to provide by these means the normal relief for their poor, receive an extraordinary grant in addition, and the total of such grants amounts to from 320,000 to 350,000 fr.

The bureaux are also commissioned to dispense special grants for the blind, for cripples, for men over 70 years of age, and for persons confined to their homes through illness. This parcelling out of money may appear complicated, but so also is the state of affairs, and the bureaux try to alleviate many varieties of distress with the small means at their disposal.

Judging by statistics we find that during the Revolution, in 1802, there were 111,626 persons relieved, *i. e.* one to 4·90 of the inhabitants. In 1818 the proportion began to decrease; in 1829 statistics were more exact, and we find, then, one needy person to 13·02 of the inhabitants, and a gradual decrease, until in 1866 there is only one to 17·12 of the inhabitants. On the 31st December, 1867, the number receiving relief was 120,270, of whom only 22·35 per cent. were born in Paris.

Out-door relief in Paris is given as much as possible in

kind, but the "secours spéciaux" or special grants to the blind, cripples, &c., are given in money.

There are, also, 1,137 of the so-called "secours d'hospices," for 427 men and 710 women. Each man receives 253 fr., and each woman 195 fr. per annum, as a kind of compensation for not being admitted into an asylum.

We must also mention the eight "Fourneaux économiques," or kitchens for the poor. During 93 days in winter they sold daily 12,716 portions at a very low price, and at a loss of only about 33,000 fr. Besides all this, from 60,000 to 70,000 sick persons annually are visited by doctors, and receive help in food and medicine, even if they are not on the list of poor. In this way many are relieved who are only in temporary distress.

About 100,000 sick receive medical treatment in the Paris hospitals during the course of the year. On certain days anyone may consult the doctor in attendance at the hospitals; in 1867, 164,770 of these out-door patients received advice—5000 received medicine also, without payment, and 186,469 got free baths.

Amongst the asylums we must mention, first, the "Maisons de retraite," or refuges for the aged. Every person living in the department of the Seine has a right to be received into the hospitals for the sick, towards the expenses of which the communes in the department pay a subscription or lump sum of about 29,000 fr., though the actual expenditure is reckoned at 401,591 fr. But only such persons as are actually living in Paris can be received into the asylums.

There are three "Maisons de retraite," called Ménages,

La Rochefoucauld, and Ste. Périne, in which persons are received by payment of a small sum on entering, or a still smaller sum annually. In Ménages only married couples or widowed persons are received. Each must pay 1,600 fr., for which he gets a room with fuel, 3 fr. every 10 days, daily 600 grammes of bread, and 1 lb. of meat every week. There are four small alms-houses of the same kind called "Hospices fondés," and one for old blacksmiths, called the "Hospice Brezin."

There are also five actual poor-houses, in two of which, Bicêtres and Saltpétrière, there is a division for lunatics; these are neither of them reformatories, but the able-bodied inmates are generally set to light work. In the other three, Incurables Hommes, Incurables Femmes, and Charonne, only the old and infirm are admitted, and remain till their death. The asylums for the aged contain altogether about 11,000 beds.

The Asylum for "Enfants Assistés," or foundlings and deserted children, rarely contains more than 120 or 130 at one time, though more than 4,200 are received there during the year. They are sent into the country as soon as possible, and usually maintained there until they are 12 years old, at a total cost for each child, should it live as long, of about 1,500 fr. A place as servant or apprentice is then found for them—but how few attain the age of 12 years. Reckoning the number of children under 12 with those who have not yet attained the age of 21, it makes a total of 25,000 under the care of the asylum.

The average number of lunatics received into the asylums of Paris from 1801 to 1866 was 508 men and

605 women, but now the men are more numerous. The total number of lunatics in the asylums is now about 7000, at an expenditure of nearly 2,800,000 fr., and 2,500 are admitted every year, of whom about 1,400 are men.

Having mentioned the chief points in the list of public charities, we must add a list of the principal sources from which this liberal administration of relief draws its income —we take as an example the year 1867.

	Francs.
Revenues from lands and houses	3,273,162
Casual receipts	309,318
Proceeds of the Mont de piété	385,084
Dues for the appropriation of graves	215,158
Poor-tax on theatrical representations, &c. ..	2,431,078
Total of proper income	6,613,800
Repayments	2,080,091
"Subvention" from the town of Paris	9,952,561
Revenues of the foundations	1,125,203
Total	19,771,656

The cemeteries belong to the communes; and they of course give to the poor man a grave without charge; but persons possessing property are required to pay a small sum if they desire a grave for a time only (in Paris it is 50 fr. for five years), a larger sum if it is in perpetuity; the treasury for the poor receives a portion of these dues. The repayments mentioned above are those required from the departments for the expenses of lunatics and foundlings.

SEC. 10. RÉSUMÉ.

If the inspectors of public charity have reckoned correctly, 118 million francs were spent in the year 1867

on the official care of the poor; not including 16 million francs spent by acknowledged or authorised private charitable institutions; nor the grants from the State and communes and the services of officers, &c., for the so-called institutions for self-help; nor all that is spent by unsuperintended private societies; nor does it include of course all the charity practised by individuals. The exact sum of all these gifts no one can know; but if we look at the list above, the sums given away do appear considerable, especially when we remember that in France a poor man has no legal claim to relief. We should in justice add that it is to the wise and economic principles which guide Poor-relief in France that we must ascribe the fact that poverty in that country is kept within comparatively narrow limits.

CHAPTER XI.

THE KINGDOM OF BELGIUM.

[By A. EMMINGHAUS.]

FROM the beginning of the fifteenth century till the beginning of the present we find so many orders issued against begging in the territory which now forms the kingdom of Belgium, that poverty amongst the masses must early have become a chronic evil. In the year 1772 an official report by Vandermersch in the 4th volume of the bulletin of the statistical central commission, mentions that there were in Flanders not less than 100,000 poor, with a population of little over 700,000. The number of paupers in the Low Lands alone has been officially reckoned at 64,681. Bruges had more than 14,000, nearly half its population, and Ghent 12,000. One-fifth of the population of Antwerp was pauperised. In Brabant there were 30,000 poor, and no fewer in the neighbourhood of Liège, and in the town itself from 8,000 to 10,000 beggars. The origin of the evil may be traced to very distant times. An order of the Emperor Charles V. of the 22nd December, 1515, mentions, as the principal cause of the distress then prevailing, the existence of institutions which, though intended to ward off misery, rather encouraged idleness; and contemporaneous writers

affirm that those who begged by profession made more money than those who worked for their living.

The principles of the Belgian Poor Laws have been much changed in the course of time. Until nearly the middle of the sixteenth century the care of the poor was left entirely to private benevolence; neither State nor commune took any concern in erecting or administering charitable foundations, which were governed by irresponsible bodies appointed by the founders. This freedom led to much inconvenience, which Charles V., as well as his successors, endeavoured to check by several edicts. By these it was enacted that no one should found charitable institutions, nor give or bequeath lands or other property for such a purpose without the sanction of the sovereign. Even in the eighteenth century, however, during Maria Theresia's reign, it was found necessary to strengthen these prohibitions by new edicts. Measures were also taken at the same time for superintending the management of the institutions, and for organising the distribution of voluntary alms by persons whom we must call stewards for the poor (*pauvrisseurs*). Something of this kind had been tried in Brussels as early as 1447, and in Ypres in 1525. It was a statute of this latter town which caused Charles V. to issue an order on the 7th October, 1531, for the establishment, under prescribed rules, of poor boxes in all communes throughout the Netherlands. This order pointed out the principles on which the care of the poor should be carried out, leaving it to the communal authorities of each place to make their own arrangements upon this basis. Most towns adopted this

plan, and the care of the poor was undertaken by the communes and the authorities of the charitable foundations, regulated to a certain extent only in the towns, until the time of the French Revolution, when Belgium was incorporated with the republic.

The Constituent Assembly, by the decrees of the 4th August, 1789, and 13th and 19th February, 20th and 22nd April, 1790, abolished tithes, suppressed the monasteries, confiscated church property, but did not immediately do away with the hospitals and charitable institutions, or with those religious orders who devoted themselves to the care of the sick. These were retained provisionally, but the management of the institutions was placed in the hands of lay officers, under the superintendence of the civil power. Private persons might still, however, contribute to the endowment of these charities; but before long, a committee, appointed by the Constituent Assembly to draw up a plan for more lasting arrangements, laid down the following maxims:—

1. The Government is not bound to supply all the unemployed with regular work; its task is to make opportunities for work more frequent and more attainable, for it is quite difficult enough to find able-bodied men an opportunity of working.

2. The nation is bound to assist those who, through age or infirmity, are unable to gain the necessaries of life.

3. Begging must be suppressed with the utmost energy.

The work begun by the Constituent Assembly was

continued by the Legislative Assembly. A committee was again appointed to decide on the principles which should govern the organisation of public poor-relief. Its members, influenced by the tendencies prevalent at that time, embodied in their report of the 13th June, 1792, far more radical opinions than the last, *i. e.*:—

1. Every person must maintain himself by labour if he is capable of working; everyone has a right to relief if he is incapable of working.

2. No one can demand more than the absolute necessaries of life.

3. As society cannot exist without the labour of its members, idleness and begging ought to be severely punished; but such punishment is not justified if the nation does not offer work to those who have no other opportunity of obtaining it.

4. The support of the poor is a national burden, for the pauper belongs to the whole nation, and not to solitary individuals.

This was giving the pauper a legal claim either for work or relief, and at the same time making the duty of providing work or relief compulsory on the nation.

The Legislative Assembly was dissolved before there was time to put this new theory into practice; but on the 18th of August, 1792, a decree had been passed suppressing all religious confraternities, even those which were exclusively occupied with the management of hospitals. It was therefore left to the Convention to carry on the work of the Legislative Assembly, and the following vote was passed on the 24th of June, 1793:—Public relief of

the poor is a sacred duty; society is bound to care for the existence of its members in misfortune; work must be provided for those capable of it, and the necessaries of life for those who are incapable.

The principles by which the care of the poor was, in accordance herewith, to be governed had already been made known in an earlier decree. By this a sum for the relief of the poor was to be granted to each department, the sum thus given being divided amongst the minor territorial divisions in proportions determined by the respective numbers of tax-payers, and placed at the disposition of two communal officers, one man and one woman. It was the duty of the latter, under the supervision of the executive authorities of each place, to provide work or alms for every poor person willing to inscribe his name in a book kept for the purpose. The funds granted by the State were intended for providing work in times of distress or slackness of work, for giving out-door relief to the sick and aged, for establishing asylums for deserted children and other helpless persons, for granting relief in unforeseen distress, and for providing medical aid for the poor. Almsgiving, as well as begging, was forbidden, and endowments for relieving the poor were to be placed at the disposal of the nation, and treated in a manner to be more precisely decided afterwards. Several orders, entering more into details, were issued about the same time, and in one of these it is recognied that a poor person may claim relief in his place of birth, or the place where he has spent the last year.

Already had some communes begun to carry out the new law; already had alienation of the charitable endowments begun, when the Convention, by the resolutions of the 9th Fructidor III., and 2nd Brumaire IV., suddenly suspended these decrees, and ordered that the relief of the poor should go on as before until more decisive changes could be made. They saw the impracticability and unpopularity of the new law, and a speech from the Deputy Delecloy brought them back to more sensible and practical ideas. During the years 1796 and 1797 three laws of the 16th Vendémiaire, 7th Frimaire, and 20th Ventôse V., were passed, which still form the foundation, in a great measure, of the French and Belgian Poor Laws.

By the first of these, commissioners were appointed for the management of the civil asylums (Commissions des Hospices Civils), consisting of five members of the communal district. By the second, it was enacted that offices for administering charity (Bureaux de bienfaisance) should be established for giving out-door relief. By the third, the asylums were left in the enjoyment of their property, including even land, and it was decreed that the property already sold, as well as confiscated by the Convention, should be replaced by national property of an equal value. This extended also to the "Bureaux de bienfaisance." The law which decreed the sale of property belonging to charitable institutions had not been carried out in Belgium before it was annulled. In this way the property devoted to the relief of the poor was again restored to its object; the State was again relieved from the duty of providing either work or

maintenance; the care of the poor was laid upon the commune, and, consequently, made local; in each commune officers were appointed who, under the superintendence of the local authorities, were especially to undertake the duty of relieving the poor with the means entrusted to them; lastly, all property devoted to the poor in each commune was to form a common fund, instead of there being, as formerly, many funds, each managed by its own trustees without any regard to the others.

The right of making charitable foundations was again restored; such foundations being the principal source of funds for the relief of the poor, and the management as now constituted affording a guarantee that the founder's wishes would be carried out.

This law, by localising relief, did not make it exactly the function of the communes, but it was intended to secure the relief of the poor by forming a separate fund, which might always be enriched and supplemented by private gifts, and which should entirely belong to the institutions entrusted with the business of administering it.

After this general historical sketch, we must proceed to describe the present organisation of poor-relief in Belgium as it has grown out of later events, as well as those already mentioned.

We may begin with answering the question, 1st, Who is entitled to public relief in Belgium, and from whence is it to be obtained? and then consider, 2ndly, how such relief is granted. Lastly, we must give a glance at the laws relating to begging.

It should however be premised that charity, so long

as it is not exercised in any publicly authorised establishment, is perfectly free from State control. The Belgian Constitution of 1830 grants freedom of association to all, and since that time a great number of societies, both religious and secular, have been formed for the relief of distress; some of these have established asylums and industrial schools; others have founded infant schools and nurseries (crèches-écoles gardiennes), collecting the necessary funds by subscription. The duration of these establishments depends entirely upon the pleasure of the founders. In speaking of public poor-relief all those charitable institutions are included which, though founded by private persons, cannot exist without the co-operation of the Government on account of their lasting character, as well as the cases in which direct relief is granted by the Poor Law authorities.

I. Belgium, like most other countries, admits a law of settlement. This idea arises from the old rule, that every town is bound to support its own poor. In consequence of this rule, a needy person, who claimed relief in a strange town, was sent back to the commune legally bound to support him. The most obvious settlement was the place of birth, but a longer or shorter stay in a place where a man had earned his living and contributed to the public taxes would also give a claim to relief. The duration of residence required for gaining this latter kind of settlement varied greatly; in some places it was one year, in others three, ten, and even twelve years. Some communes would not allow strangers to settle unless they paid an indemnity; others required from the former

place of residence an assurance that the poor person should be again received there in case of distress, or that the sums expended for his relief should be refunded. This was particularly the case with regard to Flanders. By an order of the 6th of June, 1750, this condition was put aside, but indigent strangers were sent back to their native place. In Antwerp it was a condition of settlement for strangers that they should deposit caution money to the extent of 150 francs. In some places a settlement was gained by marriage.

These rules as to settlement were, however, of little importance, according to the theory of the French Convention, by which it became the duty of the State to support all the poor. Since the State existed everywhere, a poor man might claim relief in any part of the country, whether it was his place of birth or not. But as the funds for relief were apportioned annually according to the amount of population in the cantons and communes, it became necessary to prevent the mechanism of this division being put out of order by a constant change of residence amongst the poor. This was the aim of a decree of the 24th Vendémiaire II., Titre V., which made one year's sojourn the condition of artificial settlement, the natural settlement being the birthplace, but it only served to make the change of settlement more easy. On the other hand, as the public institutions for the relief of distress were neither bound nor even able, at all times, to give relief to all who claimed it, it often happened that, practically, the most needy strangers were left without any relief at all.

A law, passed on the 18th November, 1818, endeavoured to lessen this evil, by giving every man a claim to relief at once, wherever he might happen to be; at the same time making it the duty of the commune to which he belonged to repay the expense incurred, and (according to the order of 2nd July, 1826,) notice to be given to the said commune within fourteen days from the date of relief. This law also made four years (and punctual payment of taxes during that time) the length of residence necessary for gaining a new settlement. In 1825 the Government laid upon the communes the expense of maintaining beggars in the "Dépôts de Mendicité," without promising any aid from the State. Some communes then made a desperate attempt to get rid of their financial burdens; the needy were sometimes sent to other communes, and there actually supported for four years till they had gained a new settlement. Such a practice, however, could only give rise to greater complaints, more especially in towns; and to put a stop to it, the law of the 18th of February, 1845, lengthened the term of residence to eight years. It also enacted that the expense of maintaining a foundling whose parents were unknown, was to be borne half by the commune in which he was found and half by the province of the said commune. The settlement of a married woman is that of her husband; of children during their minority that of the father or mother. The settlement gained by eight years' residence in one commune may be replaced by eight years' stay in another; but the time spent by soldiers in active service, by "détenus," by persons in

hospitals or asylums, or by persons who in their own homes are receiving public relief, is not considered as giving a settlement. This law of 1845 also regulates all that concerns repayment of expenses, and litigations about the maintenance of paupers between communes or charitable institutions. That some reform in this respect was needed, is proved by the fact that during the ten years from 1851 to 1860 inclusive, 1,687 such lawsuits were carried on in Belgium.

At the present time foreigners can gain a settlement in Belgium by an eight years' residence in one commune; by the Code Civil, the Royal consent is required for such a settlement, but this formality is seldom put in practice. Foreigners who have not got a settlement in Belgium, are supported by the State; those who are arrested and convicted for begging or vagrancy are, by the law of the 30th April, 1848, expelled from Belgian territory. In 1849, conventions with neighbouring States were declared, by which reciprocal compensation for supporting the subjects of the respective States was regulated.

II. Though the institutions for the poor had their own special managers, yet, by the law of 1797, the communal authorities were bound to superintend the administration of the funds, and by the law of 1799 they were bound to supplement these funds, if necessary. This duty, at first provisional, was soon made permanent, since it was only on this condition that the hope of exchanging repressive for preventive measures was likely to be realised. If the communes were bound to supply any deficit in the funds, they would soon see that it was their interest to

take every possible measure for preventing pauperism and begging. At the same time it was not intended that this duty should result in the establishment of a regular poor-tax, but that the inhabitants of each commune should vote what was needed for this object. Certain expenses would, however, in the first instance, fall upon the communes; *i. e.* supporting the insane poor; maintaining beggars in the dépôts de mendicité; and supporting persons in hospitals or asylums who have no legal claim to relief there, but have been placed there provisionally with the consent of the communes; teaching the blind, and the deaf and dumb poor; and providing asylums for foundlings within legally defined limits; but some of these expenses, *i. e.* maintaining and teaching the deaf and dumb and the blind, maintaining the insane, and those who are admitted into the dépôts de mendicité, may be defrayed out of the provincial treasury, should the provincial council be satisfied that the communes are too poor to bear them.

From the foregoing statements we see that public charity in Belgium is considered entirely as a local burden, that the funds devoted to the purpose are managed independently, but are under the surveillance of the commune, which latter must make up any deficit in the funds of the institutions for the poor by a direct payment from the communal treasury.

We must now describe, shortly, the practical arrangements for relieving the poor. The "Bureaux de bienfaisance," and the "Commissions des hospices civils" are entrusted with the management of the property

placed in their hands, and with the distribution of public relief, subject to the supervision and approval of the communal authorities. It is the business of the Bureaux de bienfaisance to keep a list of the poor, and to dispense out-door relief; inquiry is made into the wants of the poor, and relief given by one or more members of the Bureau. This may be done also by persons specially commissioned by the Bureaux, or by the "Comités de charité," these being also appointed by the Bureaux in certain cases. These persons appoint the physicians, surgeons, &c., who attend the sick poor. The Bureaux must also defray part of the cost of educating poor children.

The law of 1797 orders the establishment of a Bureau de bienfaisance in every commune, and in all towns with a population exceeding 2000, of "Comités de charité" also. Every Bureau consists of five members chosen from the inhabitants of the commune. One member retires annually by seniority, but, as a rule, he is eligible for re-election.

There are also the Commissions des Hospices Civils, who are entirely occupied with receiving and discharging persons from the asylums, hospitals, &c., which are intended for receiving the aged, sick, incurable, women during childbirth, insane persons, orphans, foundlings, and deserted children.

All towns of a certain size, and many country communes, possess such institutions, which have usually arisen from some old foundation. In communes where none exist, the poor are relieved in their own homes, or

in private establishments, or are sent to institutions belonging to other communes.

The members of the Commissions des Hospices Civils are appointed, as well as those of the Bureaux de bienfaisance, by the Burgomaster and communal council. They form two distinct bodies (except in the province of Brabant), but the same persons may be members of both, and actually are so in some places. In many communes the clergy are members of the Bureaux de bienfaisance. Membership is an unpaid honorary office; the accountant, however, may receive a salary.

The funds of the institutions consist chiefly of foundations, bequests, and gifts, and the income produced by them; also of certain legal dues, such as the taxes on theatrical representations, fines and confiscations, the money collected in poor boxes, &c., and finally of the communal grants. The consent of the king is required for the acceptance of any property worth more than 3000 francs, and of the provincial authorities for anything below that sum, also for the investment of capital, mortgages, loans, &c.

III. The "Dépôts de Mendicité" have been often mentioned, and we must now give some account of these institutions.

Towards the end of the last century, when people began to see that mere decrees against begging were of little use, the States of Flanders tried a plan which was suggested by Viscount Villain XIV., Grand Bailli of the town of Ghent. He proposed to build a house of cor-

rection in Ghent, where beggars, legally arrested, should be detained, and during their detention should be regularly employed, with the hope that they would thereby be habituated to work. In spite of numerous difficulties, the plan was at length carried out, was tried elsewhere with success, and would have put some check on the old evil, but the political events which took place towards the end of the last century prevented its development. The decrees of the Convention, the laws of the year 1797, put a stop to the establishment of such institutions as Villain's. Begging again got the upper hand, and it was not till July 5th, 1808, that a law was passed with the object of suppressing it. This law created the Dépôts de mendicité. It ordered the establishment of a dépôt in every department for the reception of all beggars, and of persons without any means of subsistence; beggars and vagabonds might be arrested by an order of the police, the former sent to the dépôt, and the latter to the house of detention. Some changes were made in the organisation of these establishments in the years 1822 and 1825; but, owing to the fact that every beggar was allowed free entrance to the dépôts, these had degenerated more and more into abodes where idlers of all kinds lived at the expense of their neighbours, much to the damage of the communal finances.

To obviate this evil, a law of the 3rd of April, 1848, sanctioned the admission only of convicted beggars, or such persons as were provided with a special permission from the Poor Law authorities. The latter might refuse permission to the non-convicted, in which case there

was a simple remedy, for the beggar desiring admission had only to obtain a conviction. But since the cost of maintaining such persons in the dépôts fell heavily on the communes, the inhabitants often preferred to permit begging rather than bring punishable beggars or vagabonds under notice. The law of 1848 introduced one useful reform, by removing young beggars from contact with the old. If qualified for the dépôt, they are now sent to separate establishments, and there employed in agricultural labour. There are two such reformatories (*écoles agricoles de réforme*), one for boys at Ruysselede, and one for girls at Beernem. With this exception, it seems as if the reforms introduced had been of little use, and in fact, that the right measures for mere repression have not as yet been tried in these institutions.

It is difficult to judge of the practical results of the Belgian Poor Laws, since statistics are wanting in many points, and for the most part only include the short space of time from 1850 to 1860, the period treated of in the admirable statistical work of Monsieur M. P. Lentz. In the year 1856, Belgium possessed 2,514 Bureaux de bienfaisance, the number of communes in the country being 2,531. At that time there were only 174 Commissions d'hospices, and five Dépôts de mendicité, the two reformatories having been added since 1849.

In the number of those relieved by the Bureaux de bienfaisance, there is, apparently, no great increase during the years 1844 to 1860; nor in the number of beggars received into the dépôts since 1831. The communal expenses for the poor have decidedly gone on

increasing, but there are no means of proving how far this is owing to an increase in the number of poor, or how far to a rise in the cost of provisions. According to the accounts of the Bureaux de bienfaisance, which are distributed equally over the whole country, we find that, in 1856, 12½ per cent. of the population within Belgian territory were in receipt of public relief—in any case a large percentage, but far below the current acceptation.

The average yearly outlay of the Bureaux de bienfaisance is 7,105,456 fr., while the communes contribute 1,527,098, and the expense of the hospices is 5,000,000 fr., so that in round numbers 13,700,000 fr. are expended in Belgium for the public support of the poor. This is about 2 fr. 70 c. per head on the whole population. There are few countries where this capitation can be so closely calculated, and when we remember that most of the public institutions are richly endowed, and that if their income does not suffice the communes are obliged to make them grants, we see plainly that a very limited area is left for the exercise of private benevolence, which, besides, is quite at liberty to work in concert with public institutions, and thus to supplement their efforts.

CHAPTER XII.

THE KINGDOM OF THE NETHERLANDS.

[By Dr. M. M. von Baumhauer, of the Hague.]

Historical Sketch.

Although Charlemagne, in 806, by his capitularies of Nymeguen, had made it the duty of the Missi Dominici to take care of their poor; and, although in the Netherlands, as elsewhere, the monastic houses were a refuge for the poor during the Middle Ages, there seems to have been no regular sort of poor-relief until the fourteenth century, when, for the first time, many rich foundations were made for the benefit of the poor. In this and the following centuries, the houses for the sick (Gasthuizen), and the so-called God's Houses for orphans, were founded, whilst poor families and solitary grown-up persons were relieved in their own homes. Even in those days the town authorities appointed officers whom we may call stewards of the poor (Heiligengeist Meesteren), but it appears as if there were still no sort of plan or principle in the distribution of relief.

Not until the sixteenth century do we find much improvement in this respect; a pamphlet, "de subventione pauperum," written by the well-known Spaniard, John

Ludovic Vives, living in the Netherlands, was printed in 1526 at the suggestion of the authorities of Bruges, and gave the first impulse to better organisation. It was republished in Paris in 1530; in Leyden in 1532; at Antwerp, in 1566, translated into Dutch; at Lyons, in 1583, in French; and was also circulated in Spain. The order relating to the poor of the town of Ypres, in 1525, which was recommended as a general order for the towns and villages of Holland at the assembly of the States, January 14th, 1528, was the compiler's immediate incentive for writing this book.

All this seems to have paved the way for the well-known edict of Charles V., of October 7th, 1531, which was first laid before the States of Holland, and the object of which was the prevention and punishment of begging, and the establishment of a general fund in all towns, parishes, and villages, for every kind of relief to the poor, without any distinction.

It is remarkable that even during the fifteenth century, the relief of the poor by the civil power is a principle of most of the orders issued in the northern provinces, even in the episcopal town of Utrecht, in 1413; the edict of Charles V. met therefore with much less opposition in the northern than in the southern Netherlands. This principle was fully sanctioned by the edict of the States of Holland of the 2nd of March, 1575, and it entirely harmonised with the principles of the Reformation which had meanwhile taken root in the land. But, in the beginning of the seventeenth century, a new system of ecclesiastical poor-relief by the deacons of the church

arose side by side with the secular system ordered by the civil power.

We must, however, conclude that the whole state of poor-relief in the seventeenth century was defective, judging from the accounts of the great mortality in different years from 1600 to 1666; from the existence of a great many hospitals for the sick, and for those attacked by the plague; from the frequent complaints about beggars and vagabonds; and from the increase in the number of foundlings. Towards the end of the seventeenth and in the first half of the eighteenth century, the state of things improved. It was then that many of the "God's Houses" were erected and enlarged, and richly endowed by gifts and legacies. The so-called Hofjes, or free dwellings for the poor, were established chiefly about this time. An attempt was also made to employ the poor in industrial undertakings and in work-houses, but for the most part without much success.

Towards the end of the eighteenth century another advance was made in the development of poor-relief, by the larger share taken in it by the Government. According to the Constitution of 1798, the management of the poor throughout the Republic was to be carried out on a uniform plan. The representatives of the people required a report concerning all foundations specially intended for the poor, their endowments, and administration. A general law regulating relief was drawn up, and even published, July 15th, 1800, but it never came into operation.

From the year 1781, and more especially since 1795,

the economical circumstances of the country had decidedly declined; the increase of the national debt (it rose during the years 1795 to 1804 to 339,000,000 Dutch gulden, or about 28,250,000*l.*); the stagnation of trade in consequence of the tyranny of the French, and extensive emigration, were partly causes and partly symptoms of the state of affairs.

The Present Legal and Actual State of Poor-relief.

By the fundamental law of 1815, Art. 220, it became the duty of the Government to take charge of the charitable institutions and the education of the poor, and to give an annual report to the States General. These Reports have been printed since 1816, and in a very copious form since 1847.

The law of November 28th, 1818, which remained in force in Belgium until the introduction of the law of February, 1845, and in the Netherlands until June, 1854, was limited to deciding upon the place where the needy might claim relief. This law granted a settlement by birthplace, but, at the same time, decided that such a settlement might be forfeited by four years' unbroken residence in some other place, and in the case of women, by marriage. The settlement of children during their minority was to be that of their parents; strangers were to gain a settlement by six years' residence in the same place. This law, at first kept strictly, was afterwards gradually altered for the worse by a succession of Royal

orders, of which the general tendency was to interfere with the administration of the charitable institutions, and to change the legal provisions conferring discretionary powers into imperative enactments. The ecclesiastical relieving bodies felt that their independence was attacked; a number of lawsuits arose about repayment for money advanced; some courts decided in favour of, others (including the Court of Cassation) against, the independence of ecclesiastical poor-relief; thus assuming that the latter, *i. e.* the ecclesiastical relieving bodies, should be subject to the Poor Laws. According to Art. 9, the provisions of the law were in no way to weaken existing regulations about the relief which the deacons and other ecclesiastical authorities distributed; but Art. 12 made over to the King, to the Chamber of Deputies, and to the communes, the office of arbitrator in disputes between ecclesiastical bodies charged with relieving the poor. It was precisely this last provision which, since 1830, has been used for restraining the independence of the deacons and subjecting them to royal decisions. Art. 13 acknowledged the right of one body of poor-relieving officers to claim repayment of money advanced for another, and this led gradually to a strict legal organisation of relief, and to a proclamation of the duty of supporting the poor.

The fundamental law of 1840, Art. 195, contains the express declaration that henceforward the superintendence of poor-relief should be one of the duties of Government. According to the plan of a law of 1851, ecclesiastical poor-relief was to be restrained, and a greater

scope given for that by the civil power. This plan called forth a host of petitions, addressed to the King and to the Chambers, from all parts of the country; and these petitions were the forerunners of the crisis, which ended with the fall of the Ministry in April, 1853.

Of the 3,506 different bodies who undertook the out-door relief of the poor, there were, on the 31st December, 1850, 2,230 purely ecclesiastical; 1,179 secular; 79 both ecclesiastical and civil. Of the first description only 454, of the second 779, and of the third only 61 received contributions from communal sources. Two-thirds therefore of the whole number were at that time ecclesiastical, and almost two-thirds were maintained solely by voluntary contributions.

The new Poor Law of June, 1854, represented the principle that the Church should act as freely as possible, so long as the rights and duties of the State were not prejudiced. The Church alone was to use its influence for collecting funds for the relief of the poor by the ecclesiastical bodies; this kind of relief is quite voluntary, and cannot be made obligatory on any person by the State. The tendency of this law was gradually to put the care of the poor again entirely into the hands of the Church, and to let it rest simply on the benevolence of private individuals.

Since the Government could not carry on the supervision laid upon it, unless it was constantly informed of the existence of ecclesiastical institutions and of what they accomplished, the law contained enactments to the effect that all such bodies should send in regular reports

as to their object, finances, the number of persons relieved, &c., and to expend all monies and income on some object, as near as possible to the founder's, after the aim of the institution had been accomplished; and the sanction of Government was to be obtained for all collections of money, except those made during divine service, or in the houses of members of the commune for the benefit of their own especial commune.

Both ecclesiastical and civil institutions have the right of claiming repayment for relief given, from those relieved, from their relations, and from their assets; on the other hand, they have no right of reclaiming expenses incurred for the cost of attendance, and no right of inheriting from those relieved.

The care of the poor is left entirely to the charitable institutions, ecclesiastical as well as private.

Whilst the law of 1818 left undecided the question as to the right of the poor to claim relief, this new law, in some measure, decides it by the express provision that the relief of the poor, except in some few cases, should be left to the ecclesiastical and private institutions, and that the civil authorities were only at liberty to give relief when convinced that the poor person could not obtain it from either of these sources, and was at the same time in the greatest distress. The civil poor-relief officers, or, if these do not exist, the communal authorities, decide in the first and last instances upon the request for relief. Such conditions as are not contrary to the laws, to morality, and to public order, may be imposed with the relief given. The communal council

decides in December, every year, on the maximum amount to be distributed during the ensuing year, according to the season, the numbers in each family, the age and bodily strength of the poor. Relief is given as seldom as possible in money, but, as a rule, in food, firing, clothing, bedding, and by providing dwellings. In extraordinary cases it is allowable for the communal council to alter the minimum fixed upon for a certain time during the course of the year. The expenses of placing insane persons in asylums, and beggars and vagabonds in the beggar colonies, as well as of maintaining children whose mothers are in prison, and those who cannot be parted from their mothers, are to be paid out of the treasury of the communes to which such persons belong, or else by the State.

A poor man's place of settlement is the commune where he was born; but various exceptions have been made. For instance, the parents' settlement is also that of the children, when the latter happen to be born in a commune where the parents do not usually reside, *i. e.* when they are born in hospitals, prisons, or beggar colonies. If the parents' commune is unknown, the place of birth is accepted as the children's settlement. Foundlings and deserted children are considered as belonging to the commune where they have become claimants for public relief. Strangers gain a settlement in a commune where they have lived for six years consecutively, without needing any relief. A married woman's settlement is, on the dissolution of marriage, that which was her husband's. Children under age, born in wed-

lock or acknowledged by the father, follow their father's settlement; illegitimate children, unacknowledged by the father, that of their mother. If both parents are dead, birthplace again becomes the place of settlement. Poor persons, whose settlement cannot be discovered, may apply to the funds of the State for relief; the State may send them to Poor colonies, or to other institutions intended for giving work or relief to the poor.

The great error in this law consisted in these provisions regarding settlement; for since the general order of the Reformed Church, of the 23rd July, 1852, enacted that a poor person should be relieved in the place where he might happen to be, the poorer bodies of deacons, naturally enough, made use of this discrepancy between the ecclesiastical and civil orders, in order to throw the burden of poor-relief on the communal officers.

It is in the interest of large communes, and especially of those where the population yearly increases by immigration from other places, to accept the rule of settlement by birthplace; but this rule has added to the burden of the smaller and poorer communes whose inhabitants often leave them, even in the best years, on account of the slackness of trade; such persons generally remove to large towns, and there, in later years, often fall into distress when they have forsaken the simple habits of their earlier life. The burden of relieving them then falls upon the poor commune where they were born. By comparing the census of 1849 with that of 1859, we find that 25,000 men and 20,000 women (reckoning in round numbers) had left the country communes; of these 1,300

men and 19,700 women had taken up their abode in the 37 large towns of Holland, whilst the remainder had probably emigrated.

In order to judge fairly of the state of the poor in the Netherlands, we must understand the relationship and condition of the two leading religious communions. To every 30 inhabitants there are about 18 Protestants and 12 Catholics; besides being the most numerous division of the population, the Protestants are also the most wealthy, and thus the greater number of Protestant relieving bodies require no aid from the communal funds, on account of the large subscriptions from members of the ecclesiastical commune, whilst in the Catholic provinces of North Brabant and Limburg the relief of the poor comes almost entirely from the civil relieving bodies.

The statistics of poor-relief in the Netherlands, as far as attainable, are most unsatisfactory. The number of those relieved is very arbitrarily set down; the heads of families being counted, and the number then multiplied by four or five in order to find the sum-total. Even this knowledge is of little use when the kind of relief, temporary or permanent, is unknown, and whether the same person has received relief from one only or from several relieving bodies. Besides this, the ecclesiastical relieving officers are bound by law to report the whole of their expenditure, whilst of their receipts they need only report so much as arises from charitable donations, the principal part of their income, *i. e.* that arising from their permanent property, being totally unknown to Govern-

ment; and until 1854 there were no regular reports at all.

The following table shows the number of charitable institutions existing in Holland from the year 1854 to 1866:—

	1854.	1857.	1860.	1863.	1866.
Institutions for giving out-door relief	3,677	3,741	3,785	3,861	3,894
Institutions for relieving the poor who are ashamed to beg	145	146	153	164	172
Institutions for distributing the necessaries of life during winter	155	133	127	122	121
Institutions for the care of poor women during child-birth	49	49	51	53	53
"God's houses," for maintaining the poor, providing instruction and dwellings, or dwellings only (Hofjes)	687	682	695	707	705
Hospitals	57	52	55	58	60
Asylums for the insane—*i. e.* such as receive the poor ..	11	11	11	11	11
Workhouses	41	40	42	37	36
Institutions (without workhouses) for giving work to those in need of it	78	68	61	61	59
Total number	4,900	4,922	4,980	5,074	5,111
Of these institutions there were managed by—					
The communes and the communes and Church together	1,506	1,469	1,481	1,488	1,489
The Church only	2,777	2,865	2,912	2,993	3,034
Private persons and confraternities	617	588	587	593	588

The number of persons receiving temporary relief affords a very bad standard for judging of the increase

or diminution of pauperism. Of those temporarily relieved, many receive relief from more than one institution, and are counted twice or even thrice in such reports as are attainable. The number of those in receipt of constant support, as compared with the entire population, furnishes, therefore, the safest means of judging of the efficiency of poor-relief. Of all the classes mentioned in the foregoing table, we can only count the inmates of the "God's houses" as receiving constant support, and the proportion is as follows:—

	1854.	1857.	1860.	1863.	1866.
Number of persons receiving constant relief	239,912	208,410	203,433	213,946	212,187
Of every 10,000 inhabitants of Holland	701	635	610	620	597

Judging therefore by these facts, the number of those receiving permanent help has considerably diminished. The expenditure of the three principal classes of relieving bodies is well known, but the income only of such institutions or foundations as are entirely or partly under communal management. Of the other two the income arising from their permanent property (houses, lands, and capital) is unknown.

The average expenses for each poor person have increased year by year, and are found to be highest in those provinces which contain the largest towns. A comparison of statistics for 1854 and 1866 proves that although the total number of those relieved in the latter year is less, the total expenditure for poor-relief is greater. This remarkable fact may be explained thus:—

1st. The diminution in the number of those relieved must not be considered so much a diminution in the number of poor, as a restriction of relief to such as really cannot exist without it, and hence it appears that the amount given to each has become greater; 2ndly. The price of provisions has risen since 1854; and 3rdly. The legal repayments have an injurious effect, for where advances are made in behalf of other communes, the needful economy is not always observed.

In those towns and communes where the population is constantly on the increase by immigration, people are well contented with the working of the law, as the communal grants for charitable institutions and for repayments have considerably diminished; but in the rural communes, on the other hand, there are loud complaints against the repayment system, as the sums of money thus paid often far exceed in amount those to be reclaimed. For instance, in North Brabant, a poor province containing only three communes of more than 20,000 inhabitants, the difference rose to the considerable sum of 76,000 Dutch gulden (or about 6,333*l.*).

Thus the repayment of advances for the care of the sick is a heavy burden on the treasury of the smaller communes, whose poor are relieved at much expense in the hospitals of the larger communes. Those communes, to which many sailors belong, complain most of this burden. In order to obviate it in some measure, the communes of the province of Groningen, where seafaring people are very numerous, made an agreement

which came into operation January 1, 1867, by which they mutually renounce repayment for the care of the sick.

In former times we find several strict orders against beggars and vagabonds, such as that of Charles V., 22nd Dec. 1515, and those of the States of Utrecht, Holland, and West Friesland against gipsies (heydens), vagabonds, beggars, and thieves. The French "Code pénal," introduced into Holland in 1810, required, in Art. 274, the erection of Dépôts de mendicité. Such institutions have never existed in Holland, but in 1818 certain charitable associations set on foot the so-called "Beggar Colonies" for the province of Antwerp in the south, and for the northern provinces of Friesland, Overissel, and Drenthe. These colonies were settlements on tracts of heath, and were intended not only to bring the land into cultivation by the labour of the beggars placed there, but also to accustom such idlers to work. The colonies were even to prove a remunerative speculation. They have never increased much in the northern provinces, and are now principally industrial institutions for spinning and weaving, partly to supply the colonies themselves, and partly to supply the army and navy. Judging, by the Royal decree of Oct. 12th, 1825, which lays the cost of supporting beggars on the communes, it appears that people were much deceived as to the practicability of maintaining such institutions. In 1859 the financial condition of the charitable Association was so critical (they had already often received grants of

money from the State), that a law was made, July 4th, 1859, sanctioning an agreement between the State and the Association, by which the former undertook the colonies of Ommerschans and Veenhuizen, on receipt of the sum of 3,650,000 florins (about 315,937*l.*), whilst the society maintained the colonies of Fredericksoord and Willemsoord, Klein and Gross-Watern, and Vledder on their own responsibility.

According to the census of Dec. 31, 1859, the number of persons still remaining under the charge of the society consisted of 1,552 men and 1,502 women; of these, 2,608 were colonists; 89, boarders; 115, orphans; 35 were present temporarily, and 207 were persons employed in the management of the institution. Of this population there were—Reformed, 2,165; Evangelics and Lutherans, 84; Catholics, 666; Jews, 139. The live stock consisted in December, 1867, of 316 head of cattle, 252 sheep, 34 horses, and 64 pigs. The property of the society was valued at 959,189 florins (or about 81,930*l.*).

The number of persons in the Beggar Colonies existing in the Provinces of Overissel and Drenthe, on the 31st December, 1859, was 6,789. Of these, 900 were employed in the management of the institution, old soldiers with their families numbered 319 persons, 104 persons were labourers; 44, gardeners; 5,208, beggars; and 206 had been received for various reasons.

Seven hundred and ninety-five men and women were employed in agriculture and in tending the cattle; 2,353 were employed in manufacturing work, 410 men and 13 women in trades, whilst 2,318 had no occupation.

The population of the Beggar Colonies was as follows on Dec. 31 in the years—

1860.	1861.	1862.	1863.	1864.	1865.	1866.
6,039	5,989	6,033	5,887	5,666	5,424	5,475

On Dec. 31, 1866, the population consisted of 4,685 beggars, 310 old soldiers, 190 orphans, foundlings, and deserted children, and there were 290 other persons. Of these, 1,849 were in the Reformatory of Ommerschans, and there were in the three establishments of Veenhuizen, 995, 1,206, and 1,152 respectively. In the Orphanage at Veenhuizen there were 273. In order, in some degree, to judge of the moral and physical condition of these people we give the number of desertions and deaths during the years—

	1860.	1861.	1862.	1863.	1864.	1865.	1866.
Desertions ..	139	140	107	102	83	68	84
Deaths ..	293	232	360	183	208	197	177
Percentage of Deaths ..	4·77	3·86	5·99	3·07	3·60	3·53	3·25

The live stock consisted in December, 1866, of 835 head of cattle, 134 horses, 1,278 sheep, and 113 pigs. There were 843 hectares (about 2,108 acres) of arable land, 685 (about 1,713 acres) of meadow land, and 20½ (about 51 acres) of fruit and vegetable ground.

The inmates made their own clothes and furniture, and were also employed in weaving and spinning, so that more than 400,000 coffee sacks, and 600,000 mètres of linen and cloth were annually delivered to the East Indian Trading Company.

Before we conclude this account of the efforts made for the prevention of pauperism, we must mention the

Society for General Benefit, founded in 1785, which has been of great use in establishing schools of every kind, savings banks, provident funds for old age and sickness, people's libraries, lectures, &c.

The deacons of the Reformed Church make a rule that the poor should not receive any relief unless the children attend school; in the lower schools almost half the number of children receive instruction gratis. Thus in 1867 there were 225,682 children who did not pay, against 235,063 who did pay.

Establishments for the deaf and dumb and the blind we may also consider as, in part, charitable institutions. The oldest establishment of this kind is that for the deaf and dumb in Groningen, founded in 1790. In 1866-7 there were 152 scholars, of whom 123 were supported entirely at the expense of the society. In this establishment, as also in that of St. Michel Gestel, in North Brabant (established in 1843), and which in 1866 contained 102 scholars, the language of signs is used, whilst in a third institution of the same kind at Rotterdam, containing 91 scholars, of whom 63 were maintained gratuitously, the lip method is in use. Since 1808 there has existed in Amsterdam a school for blind children, containing, in 1866-7, 32 boys and 18 girls; and since 1843 there has existed an institution for the adult blind, containing, in 1866-7, 16 men and 26 women.

In most towns there are societies for helping the poor, chiefly under the management of women. Their object is to visit the poor in their own dwellings, to urge them to cleanliness and neatness, to the attendance of divine

worship, and to persuade them to send their children to school. Girls are invited to learn some useful occupation, and women are put in the way of obtaining suitable work.

Several deacons of the Reformed Church have the management of dwellings which they let to the poor, either gratis or for a very small rent; and by degrees associations have been formed in most of the principal towns for erecting cheap and suitable habitations for the poorer classes.

In the year 1866 there existed 399 Burial and Sick funds, with 471,630 subscribers, which in 1866 supported 50,646 persons in return for a very small weekly or monthly payment.

There were 78 money-lending establishments in the country, but these, as is well known, tend more to encourage carelessness than to ward off poverty. In 1866 they lent 8,322,740 gulden on 3,009,729 articles, of which 61,993 were sold, and the rest redeemed.

Out of 171 savings banks 143 were established by the Society for General Benefit; since, however, the money is chiefly paid in by servants and well-to-do people as savings for their children, the extension of their operations cannot be accepted as a proof of their beneficial effect in the prevention of pauperism.

CHAPTER XIII.

ITALY.

[By LUIGI BODIO, Professor of Statistics in the Upper Commercial School, Venice.]

THE administration of poor-relief in Italy is guided by the law concerning Charitable Works of August 3, 1862, and the order of September 27 of the same year.

This law and the explanatory order of September refer to all those institutions and foundations the aim of which is to stem the tide of misery by any sort of public charity, such as poor-houses, hospitals, asylums for lunatics, for the aged, for incurables, for foundlings and orphans; institutions for the deaf and dumb, and blind; reformatories for boys; refuges for fallen girls; institutions for prisoners discharged, but still under surveillance; institutions for giving assistance to poor people on their marriage; elementary free schools, when these are not supported by the commune; lending establishments and savings banks on a small scale, provided these be in the hands of charitable societies, and many other similar institutions.

Each one of these various institutions possesses the legal rights of a corporate body, and can sue and be sued in court. Their administration is managed by a board

or by one officer only, according to the rules of the foundation. The founder's wishes are to be complied with as closely as possible in this respect, and if he should leave no written order, the point is decided by custom.

When a foundation is intended partly for the benefit of the poor and partly for the benefit of the church and its services, two separate accounts must be kept, one concerning the funds for the poor, and one concerning the funds for the church, &c., whether the administrators are ecclesiastics or laymen.

The manner of appointing officers for the management of these charitable funds is also laid down by the statutes, and in case the validity of any resolution made by them is questioned, it must be decided by the principles of the law.

It is not permitted that either father and son, grandfather and grandson, father-in-law and son-in-law, or two brothers, should take part in the same council of administration. Nor must those who have to give an account of the previous management of the foundation, nor those who are engaged in any lawsuit concerning it, act as members of its administration. It is further ordered that an inventory should be kept of all records and papers about the management, of all moveable and immoveable property, and of all changes affecting such property, so as to give an exact view of the financial state of the foundation from time to time. This inventory is always to be attested on any change, either partial or entire, of the administrators.

Moreover, there is a distinct balanced account for the

past year, and a separate yearly budget for the coming one; in these accounts the receipts and expenditure, the outstanding debts, as well as liabilities, and the state of the cash balance, must be exactly shown.

Foundations with regular and permanent revenues must have a treasurer, who is to give security for his conduct in office. The revenues of the charitable institutions are collected in the same way as the communal revenues; there is, however, no uniform plan throughout the kingdom—on the contrary, the imposing and raising of the direct communal taxes is just as manifold at the present time as it was before the annexation of the smaller states to the kingdom of Italy.

For all kinds of alienations, leases, contracts for delivery, &c., the plan of public auction is prescribed, if the transaction relates to anything above the value of 500 francs. But in exceptional cases public auction may be dispensed with by permission of the Provincial Deputation. This provincial deputation is in the same position as regards the provincial council as the Junta of the commune is to the communal council, and has merely to carry out the decisions of the deliberating body.

The provincial deputation superintends the charitable institutions in the communes within its district. No person can become a member of the deputation who derives any benefit from the foundations for the poor, or for the church and divine worship, within that district.

It is the duty of the deputation to examine and give their sanction, if they think proper, to the rules for the

management of the institutions, and to audit the accounts of all the foundations. When an institution is partly supported by the province, the estimate of its expenditure and receipts must be examined by the deputation; and should some part of its regular expenditure fall on the State treasury, this estimate must also be laid before the Minister of the Interior for his sanction. The sanction of the provincial deputation is also required for the purchase of real estate, and the acceptance or refusal of legacies and gifts for the institutions for the poor. In this they must be guided by the law of June 5th, 1850, which is always called by the name of the minister who subscribed it and carried it through the Sub-Alpine Parliament, "the law Siccardi," and contains but one article as follows:—

"Foundations and corporations, whether ecclesiastical or lay, can never buy land unless authorised by a Royal decree, after having brought the case before the State Council. Gifts from the living and testamentary dispositions only come into force when they have been confirmed in the same way."

Let us now enumerate the duties which devolve upon the provincial deputation as the body entrusted with the superintendence of poor-relief. It rests with them to amend or legalise resolutions which tend to any alteration or diminution of the property devoted to the poor, or which might entangle the institutions in any other suits than such as concern the collecting of their revenues, or which aim at uniting several institutions having the same object, even when the institutions have still to keep

separate accounts of their funds. Should the provincial deputation refuse their consent (in which case the grounds must be alleged), the administrators of the institutions are at liberty to appeal to the King, who has to decide on the statement, which is then made to him by the Minister of the Interior.

The Minister of the Interior has the power of supervising the administration of charitable institutions. He causes inquiry to be made from time to time by specially appointed officers as to whether the laws, statutes, and orders are everywhere observed. Should they find irregularities, the culpable administration may be dissolved by a Royal decree after the provincial deputation has first been heard, and the opinion of the State Council has been taken.

The prefects and sub-prefects can at any time have the books and accounts of the institutions for the poor within their district inspected.

When the revenues of a charitable foundation can no longer be expended on the object for which they were intended, or when the statutes or administration no longer answer their intention, the institution itself may be altered, or changes may be made in the statutes or administration, provided always, of course, that the founder's intention is as little departed from as possible. The scheme for such a reform must emanate from the communal council or the provincial council, according as the foundation is intended to benefit the inhabitants of the commune or province. The question must be decided in these meetings by an absolute majority of

votes. The prefect is to see that the remarks and objections of all who take part in the discussion are duly recorded. The scheme and objections as well as the vote of the provincial deputation are then to be laid before the State Council. If the opinion of the State Council is in favour of the scheme, the Minister of the Interior presents it to the King, who can then legalise it by a formal decree.

This system of very liberal and wise provisions is intended to guard against any sudden change, and at the same time to allow of time-worn institutions being altered in accordance with the views of the present day, and it aims at warding off misery, instead of merely assisting those already pauperised and unfit for work, when it is too late to give them any real and radical help.

Any new institution, with a special governing body, is constituted by a Royal decree, after being approved by the State Council, even when the necessary funds have been or are to be collected by voluntary subscriptions.

Besides the administrative bodies of each charitable institution and foundation, there are in every commune special authorities who administer such gifts as are intended entirely for the general relief of the poor, but for which the founder has neither appointed a special administrator, nor specified that they should be handed over to any already existing foundation. The same special authorities also administer funds devoted to the poor by will, the management of which those persons who are specially appointed by the testator either cannot or will not undertake. In such a case, however, the com-

munal council may propose to appoint a regular administrator.

The above-mentioned body is composed of a president and from four to eight members, according as the commune contains more or less than 10,000 inhabitants.

The president and members are elected by the communal council, either from amongst its own members or from the general body of citizens; the president remains in office four years; one-fourth of the number of members retires annually; during the first three years by lot, after that time by seniority; they are always eligible for re-election.

We have, hitherto, attempted to describe how the public institutions for the poor, included under the law of the 3rd of August, 1862, are governed; it now remains for us to define the limit of their working; but it may be as well to mention, first, those institutions which are not by the tenor of this law required to be administered publicly.

Those not included are the Aid societies and other institutions supported by temporary payments from private persons; foundations reserved entirely to the management of a private person, or the family of the founder, and of which the revenues merely benefit one or more families mentioned by the founder. But even such foundations as these are under the supervision of the Minister of the Interior, whose duty it is to take care that the revenues are not misapplied.

Some of the provisions contained in the communal and provincial law, and the law relating to Public Safety,

must now be mentioned, since these form at present a considerable portion of the legislation for the poor. According to Art. 82 of the communal and provincial law, all those institutions, founded for the general benefit of the inhabitants of the commune or a specified portion of it, and to which the rules relating to the public charitable institutions are not applicable, are under the official management of the communal council, which must also superintend the administration of certain ecclesiastical funds when gifts to the poor are to be made from them. This latter duty is explained by reference to Art. 237 of the same law, where one of the transitory rules therein contained, makes it (until the enactment of a special law relating to expenditure for the purposes of worship), the duty of the commune to keep buildings intended for divine worship in good order, should there be no other means for the purpose, or should those provided be insufficient. The possible duty of defraying the expenses of public worship gives the communal council the right therefore, of superintending the administration of ecclesiastical property.

All institutions for the poor within the commune are subject to the surveillance of the communal council, which may, at any time, examine into their condition and their accounts.

The commune is bound to provide for the poor the free services of doctors, surgeons and nurses, unless special institutions for this object exist, also burial without charge, and free elementary instruction for children of both sexes.

The expense of the Foundling Hospital falls partly on the provincial, and partly on the communal funds.

The province undertakes the maintenance of the insane poor.

By the law relating to Public Safety (Art. 67) it is ordered that in those communes where there are no sufficient arrangements for the detention of beggars, persons unable to work who are without any means of subsistence, and have no relations at hand to maintain them, may obtain from the municipal authorities a certificate of their poverty and incapacity for work. This certificate must be viséd by the political authorities of the district, and it then gives to the needy person permission to beg in those communes of the district which have not sufficient establishments for the detention of the beggar-poor within their jurisdiction.

In all other cases begging is forbidden, and in no case is it permitted at night.

Any beggar found without an official permission, may be detained by the police, and handed over to the proper court of justice. Should the person so arrested be unfit for work, and should there be in the commune to which he belongs a House for beggars, he must be kept there until he can prove that he is able to provide for his own future maintenance, or until some one undertakes to support him.

We have now given an outline of Italian legislation regarding the poor.

It is extremely difficult to obtain any statistics as to the number of poor.

The first question is, "What is a pauper?" Certainly the idea is not commensurate with that of "beggar"; many persons beg practically who are not provided with an official permission! Though the certificated beggars in the 8,562 communes of the kingdom might be numbered exactly, even this, so far as we know, has not yet been done.

The census of 1861 gave the number of needy persons as 305,000, a number which may be regarded as simply the legal minimum. But we can easily understand that the greater number of poor would not acknowledge openly that they were beggars, when questioned as to their social state by an official; for their very intelligible apprehension of being thereby subjected to the supervision of the police would prevent them. Besides this, many of the poor frequently live in the open air without any fixed abode, and might easily escape enumeration altogether.

A member of the Italian Parliament, Sr. Jano, has lately published a very elaborate work on Preventive Charity, called "Della carità preventiva e dell' ordinamento delle società di mutuo soccorso," in which he puts down the number of poor as 1,365,341. But though this number does not seem at all improbable, it does not appear how he obtained it.

An exact computation of the number of poor is probably unattainable, either in Italy or elsewhere. The amount of means to be disposed of by public and private charity has its effect on the number of those who may be called poor, their numbers increasing in proportion to

the amount spent on the relief of distress. It is also impossible to reckon up all that is given away in charity, not only as alms bestowed in the streets, but all that relief which is given in the most considerate manner by individuals in private.

In order to judge fairly of the amount of distress, it would be necessary to gain some knowledge of the social state of the agricultural labourers and mechanics, and of the price of labour in the various branches of industry throughout the country, and to learn whether a crisis often occurs in the larger branches of industry, and whether the enforced days of rest are prejudicial to a great number of families.

The monographs of Jacini, "sulla proprietà fondiaria in Lombardia," of E. Ferrario, "intorno allo stato materiale, morale ed intellettuale dei contadini di una parte di Lombardia," of Cardani and Massara on the wages of labourers in the territory of Lower Milan, of Cuppari in the Giornale agrario Toscano, afford all information as to the wages of those who cultivate the soil, and state to a farthing what they receive in money and kind, so that every question concerning them is thoroughly cleared up; and it was intended that these investigations should be continued throughout the country; but as regards manufactories and the people who work in them, there is no information whatever. In Italy there are no gigantic centres of industry; a small business is the rule, a large one the exception; it would, therefore, be rash to generalise for a whole neighbourhood from the experience gained at a few important trade establishments,

such as those for weaving or metal working on a large scale.

We must, therefore, give up the idea of obtaining a distinct view of the industrial life of the nation, important as it might be for the subject we are considering, and content ourselves with the fact that Italy is beginning to awake in all branches of social life.

Many places, it is true, are still almost incredibly far from a rational development of their industrial resources. In 16 out of the 68 provinces of the country, there are not yet 100 mètres of road (of any kind) to the square kilomètre of surface; in Reggio di Calabria the proportion does not exceed 37 mètres. How is it possible, under such circumstances, to transport the products of trade and agriculture, and thus to encourage both? Again, we learn from the census of 1861 that on an average, out of every 1000 souls, 786 could neither read nor write; and, moreover, in the provinces of Joggia, Siracusa, Sassari, Benevento, Campobasso, Teramo, Potenza, Aquila, Chieti, Catania, Cagliari, Trani, Caltanissetta, and Reggio di Calabria, that number rose to 900 and 928. A circular, issued by the Minister of the Kingdom of the Two Sicilies in 1858, to the school authorities of provinces on this side the Straits of Messina, speaks of the measures taken to provide elementary instruction by appointing schoolmasters and schoolmistresses. In proposing persons as such, priests would have the preference; but should there by chance be none to be found, laymen may be proposed, and as teachers of young girls, even females

who cannot read or write, provided they are supported by others who are capable and are well reported of by the Bishop.

With this state of things it can only be a matter of surprise that Italy struggles on towards improvement with so much zeal, and so much faith in a happy future, and that she apparently emulates with success those nations which have already preceded her in the race.

But, turning from these general remarks, we may gain some idea of the present state of poor-relief from the official publications on the subject, prepared by the Statistical office, at the desire of the Minister of the Interior. As these only reach to the end of 1861, the accounts of the Venetian provinces are of course wanting. We may add that Italian literature is especially rich on the subject of the poor, and every institution that exists in Italy has been the subject of discussion, so that a library of several thousand volumes might be found in this department alone. But if we were to go into such details we should incur the danger of losing all clear ideas on the subject. It took much time to go into the various questions, answer them, and supply the proofs; and when the materials had been sifted, and the publication was beginning, the Central Directory of Statistics desired to have an abstract for the Paris International Exhibition of 1867. This was prepared, and is to be found in the work entitled 'L'Italie économique,' which was compiled by Maestri. Owing to the haste with which it was made, there are some discrepancies in it.

The following table shows the number of charitable institutions in some of the provinces, with their property and income :—

Provinces.	Number of the Institutions.	Property.	Ordinary and Extra-ordinary Income.
		In Thousands of Francs.	
Piedmont	1,825	154,783	12,103
Liguria	316	54,990	3,624
Lombardy	2,902	275,865	17,641
The Emilia	768	105,039	9,207
The Marches	680	25,015	2,251
Umbria	550	20,494	1,656
Tuscany	575	122,742	7,011
The Abbruzzi, and Molise ..	2,323	15,380	1,262
Campania	3,629	110,035	7,651
Apulia	1,207	25,992	1,995
Basilicata	176	5,236	334
Calabria	374	5,596	397
Sicily	2,258	56,344	4,553
Sardinia	135	3,798	303
Total	17,718	981,309	69,987

The sum-total of the property of 981 million francs is divided thus :—

In immoveable property, (town) ..	145	million francs.
,, ,, (country)	348	,,
Government funds (nominal value) ..	101	,,
In other kinds of transferable capital	249	,,
Miscellaneous	111	,,
In moveable property	16	,,

As an example of the objects for which the charitable institutions throughout Italy are intended, and their separate income and expenditure, we give the following tables :—

PIEDMONT,

Containing the Provinces of Turin, Novara, Allessandria, and Cuneo.

2,764,000 inhabitants; area, 2,900,000 hectares, or about 11,328 square miles.

Description of Institution.	Number.	Property.	Ordinary and Extraordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Hospitals	149	66,745	3,829	1,910
Lying-in Hospitals	2	628	115	93
Crèches, or Infant Nurseries	1	19	2	0·4
Lunatic Asylums	2	3,563	570	368
Institutions for the Blind ..	..	..	..	..
Institutions for the Deaf and Dumb	1	238	30	22
Foundling Hospitals	18	770	1,176	1,084
Houses for the Detention of Beggars	51	10,415	881	593
Orphanages	26	10,294	577	341
Reformatories for Destitute Boys, and Refuges for Discharged Prisoners ..	2	28	32	27
Asylums, Schools, and Refuges	17	4,902	456	301
Institutions for the Care of Young Children	78	2,698	323	129
Schools, and Allowances for Scholars	86	6,891	611	252
"Monti Frumentarii" (Loans on agricultural products, and advances in money on merchandise such as corn, oil, &c.) ..	7	12	1	6
Lending Establishments ..	47	5,041	409	1,547
Foundations for giving Dowries	131	2,570	129	89
Foundations for Almsgiving	37	1,144	78	50

PIEDMONT—*continued.*

Description of Institution.	Number.	Property.	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Foundations for giving Relief by Allowances in Money	636	10,095	555	348
Foundations for relieving the Sick	374	9,874	572	339
Foundations for giving Relief in Kind	56	908	47	31
Foundations for defraying the Expenses of Divine Service	3	284	13	7
Foundations for the Expenses of Divine Service and for the Relief of the Poor	24	1,478	80	31
Miscellaneous Establishments for the Poor	77	16,192	1,613	682
Total	1,825	154,783	12,103	8,257

THE PROVINCES OF GENOA AND PORTO MAURIZIO.

Population 771,000; area 532,400 hectares, or about 2,079 square miles.

Description of Institution.	Number.	Property.	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Hospitals	46	13,802	904	161
Lunatic Asylums	1	2,053	315	199
Institutions for the Deaf and Dumb	2	470	106	45
Foundling Hospitals	6	30	341	350
Orphanages	1	643	45	23
Houses for the Detention of Beggars	10	15,736	771	567

GENOA AND PORTO MAURIZIO—*continued.*

Description of Institution.	Number.	Property.	Ordinary and Extraordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Asylums, Schools, and Refuges	14	6,310	309	195
Institutions for the Care of Young Children	9	393	59	24
Schools, and Allowances for Scholars	22	598	34	4½
Lending Establishments ..	8	3,754	190	901
Foundations for giving Dowries	38	1,332	64	48
Foundations for Almsgiving	5	56	2½	1½
Foundations for giving Relief by Allowances in Money	62	1,089	55	37
Foundations for relieving the Sick	54	829	41	22
Foundations for giving Relief in Kind	9	319	16	10
Foundations for defraying the Expenses of Divine Service	2	24	1	..
Foundations for defraying the Expenses of Divine Service and for the Relief of the Poor	15	467	23	7
Miscellaneous Establishments for the Poor ..	12	7,008	346	167
Total	316	54,989[1]	3,624	3,165[2]

[1] The property consists of 27 per cent. in real estate and 18 per cent. in State "Rentes."

[2] This sum includes 901,000 fr., which the Lending Establishments have advanced on pledges.

THE ISLAND OF SARDINIA (PROVINCES OF CAGLIARI AND SASSARI).

Population 588,000; area 2,425,000 hectares, or about 9,472 square miles.

Description of Institution.	Number.	Property.	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Hospitals	6	1,752	126	51
Foundling Hospitals	1	56	8	3½
Orphanages	3	680	65	34½
Houses for the Detention of Beggars	2	168	15	13½
Schools, and Allowances for Scholars	10	153	10	4½
Monti Frumentarii	4	49	3	7
Lending Establishments ..	1	97	11	106
Foundations for giving Dowries	61	243	15	9
Foundations for Almsgiving	22	68	4	3
Foundations for giving Relief by Allowances in Money	5	52	·3	L
Foundations for relieving the Sick	3	13	1	½
Foundations for giving Relief in Kind	14	134	8½	3
Foundations for defraying the Expenses of Divine Service	9	15	1	..
Foundations for the Expenses of Divine Service and for the Relief of the Poor	2	6	½	½
Miscellaneous Establishments for the Poor ..	15	546	28	3
Total	158	4,032	299	239

LOMBARDY (PROVINCES OF MILAN, PAVIA, BRESCIA BERGAMO, CREMONA, COMO AND SONDRIO).

Population 3,105,000;[1] area 2,228,600 hectares, or about 8,705 square miles.

Description of Institution.	Number.	Property.	Ordinary and Extraordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Hospitals	109	111,754	6,954	3,187
Lying-in Hospitals	2	290	31	13
Crèches or Infant Nurseries	8	130	6	5½
Lunatic Asylums	6	2,136	292	574
Institutions for the Blind ..	1	708	41	24
Institutions for the Deaf and Dumb	4	390	56	43
Foundling Hospitals	13	4,047	531	1,468
Houses for the Detention of Beggars	36	18,886	1,576	919
Reformatories for Destitute Boys, and Refuges for Discharged Prisoners ..	4	1,617	132	88
Orphanages	38	22,868	1,184	601
Asylums, Schools, and Refuges	23	8,525	723	272
Institutions for the Care of Young Children	20	1,091	104	37
Schools, and Allowances for Scholars	65	4,515	294	148
Monti Frumentarii	83	314	15	109
Lending Establishments ..	48	5,133	413	3,369
Foundations for giving Dowries	479	4,409	227	147
Foundations for Almsgiving	312	5,244	281	179
Foundations for giving Relief in Money	544	17,955	854	399

[1] The data as to the population and size of the country are taken from the census of 1861. The provinces of Mantua and Peschiera had been already separated from Lombardy at that time. The province of Pavia had been enlarged on the Piedmontese side simply for administrative reasons.

LOMBARDY—*continued.*

Description of Institution.	Number.	Property	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Foundations for relieving the Sick	309	9,159	494	257
Foundations for giving Relief in Kind	370	2,032	101	74
Foundations for defraying the Expenses of Divine Service	32	238	12	..
Foundations for the Expenses of Divine Service and for the Relief of the Poor..	213	14,340	840	..
Miscellaneous Establishments for the Poor.. ..	183	40,081	2,474	1,112
Total	2,902	275,864	17,641	13,408

THE EMILIA (PARMA, PIACENZA, MODENA, REGGIO, MASSA, CARRARA, BOLOGNA, FERRARA, RAVENNA, FORLI).

Population 2,146,567; area 2,528,600 hectares, or about 9,877 square miles.

Description of Institution.	Number.	Property.	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Hospitals	79	43,522	3,481	1,321
Crèches or Infant Nurseries	5	106	6	22
Lunatic Asylums	6	1,669	438	434
Institutions for the Deaf and Dumb	2	343	30	20
Foundling Hospitals	15	3,990	512	833
Orphanages..	54	11,637	805	473

THE EMILIA—*continued.*

Description of Institution.	Number.	Property.	Ordinary and Extra-ordinary Income.	Expenditure for Relief.
		In Thousands of Francs.		
Houses for the Detention of Beggars	29	5,039	594	495
Asylums, Schools, and Refuges	36	9,154	742	383
Institutions for the Care of Young Children	9	405	90	48
Schools, and Allowances for Scholars	42	2,662	183	80
Monti Frumentarii	36	195	8½	96
Lending Establishments[1] ..	50	7,383	462	3,231
Foundations for giving Dowries	111	3,017	195	118
Foundations for Almsgiving	45	1,049	60	67
Foundations for giving Relief in Money	84	6,148	370	199
Foundations for relieving the Sick	42	1,518	99	52
Foundations for giving Relief in Kind	13	159	9½	7
Foundations for defraying the Expenses of Divine Service	3	69	4	..
Foundations for the Expenses of Divine Service and for the Relief of the Poor	58	10,573	694	399
Miscellaneous Establishments for the Poor	61	8,039	513	200
Total	780	116,676[2]	9,299	8,482

It is difficult to make a correct list of the Charitable Institutions according to the objects for which they

[1] The Emilia, especially the provinces of Ravenna, Ferrara, and Forli, is particularly well supplied with Lending Establishments. Public opinion is now no longer in favour of founding such institutions.

[2] The property consists of 11 per cent. in real estate and 4 per cent. in State "Rentes."

are intended, because many of them embrace several objects.

The institutions for self-help, such as benefit clubs, savings banks, &c., deserve mention quite as much as the charitable institutions. In 1862 an official publication gave the total number of establishments of this kind as 443 throughout the Italian provinces, Venice always excepted; 66 of them were established before 1848; 168 during the period from the year 1848 to 1860; and 209 from 1860 to 1862, no doubt the result of the economical freedom which had been just secured; since that year there is no precise information to be obtained as to their numbers, but doubtless they have increased considerably. These societies for mutual help arise and exist without any Government aid, but they are under the protection of Article 32 of the Union Law, which gives to all citizens the free right of forming societies.

Statistics as to savings banks have been published up to the end of 1866, which include Venice, the number throughout the kingdom being then 184.

INDEX.

A.

Aargau, Zchokke's societies in, 165
Administrateurs, members of the Bureaux de bienfaisance in Paris, 233
Administration of charitable institutions in Italy, 275, 279, 280
Administration of poor-relief, 25
  in Austria, 137
  in Bavaria, 124
  in Belgium, 244, 250
  in Berlin, 75
  in Bremen, 110
  in Elberfeld, 100
  in France, 204—Paris, 232
  in Italy, 274
  in Prussia, 51, 66—Rhine Province, 40, 66, 67
  in Sweden, 192
  in Switzerland, 164—Zurich, 182
Administrative commissions in France, 212, 218
Administrators (special) appointed by law in Italy, 279
Agreements for repayments, 172, 249, 268
Aid societies in Italy, 280
Allowances—
  in Austria, 137, 144 (*a*), 145
  in Berlin, 80, 81
Allowances—
  in Bremen, 110, 115
  in Elberfeld, 96, 102
  during convalescence, 144, 146
Alms, relief so called in Berlin, 80
Almsgiving forbidden by the Convention, 243
  punished in Bavaria, 120
Amount of total relief distributed in Prussia, 62
  average relief to each person, 64
Amsterdam, institutions for the blind, 272
Amt, in Prussia, 67, 68
Anti-mendicity societies, 167, 168
Appenzell, societies for relieving the poor, 165
Apprentice fees and apprenticing, 121, 216
Asiles publics, 218
Assets of persons dying in receipt of relief, 25, 59, 60, 85 (*e*), 126, 188
Assets of deceased persons, a percentage on, to go to the poor fund in Austria, 144
Assistance judiciaire, 227
Assistance in time of great calamities, 156, 226

Asylums for the aged, 115, 218
for the insane, 150, 175, 217, 236, 266, 288
for orphans, 115, 175, 288
Athens, poor-relief in, 1
Auction, property of charitable institutions to be sold by, 276
Auctions (a percentage on), to go to the poor fund in Austria, 144
Austrian Poor Law, 136
Average allowances in Elberfeld, 96
Average amount of relief in Belgium, 255
in France, 208
Average expenses for each poor person in Holland, 267
for each sick person in France, 220

B.

Balls, part of the receipts to go to the poor fund, 205
Barmen, 93
Basle, lavish relief in, 184
Bavarian Criminal Code, 119
Beernem, reformatory for girls, 254
Beggar colonies, 26, 269
population of, 270, 271
religious denominations in, 270
Beggars punished—
in Bavaria, 119
in France, 210
in Prussia, 54
in Switzerland, 178
"Beggars' passes," 187
Beggars detained in dépôts and houses for beggars, 253, 282
Beggars supported by the communes in Holland, 269
provided with certificates, 118, 132, 187, 282
compelled to labour, 132, 133, 155, 211
Begging near the Lake of Zurich, 167
Begging, attempts to suppress, 25
in Austria, 132
in Belgium, 239
in France, 210
in Holland, 257, 269
in Italy, 282
in Prussia, 38, 57, 72
in Sweden, 185, 188, 193, 196
Belgian Constitution of 1830, its effects on poor-relief, 246
"Beneficent" expenditure in Prussia, 60, 62, 92
Benevolence not allowed to encourage begging in Bavaria, 23
Benevolence (private) insufficient, 29, 91
Berck-sur-mer, hospital at, 233
Bernburg, ecclesiastical and municipal relief carried on there, 22
Berne, poor-relief in canton, 178
Bevogtigungen (appointment of guardians to dissolute persons), 160
Bezirks-Dezernenten in Prussia, 75
Bicêtre, poor-house and lunatic asylum, 236
Blind, 146, 250, 288
institutions for, in Amsterdam, 272

Blind, institution of Quinze-vingts, 222
imperial institution, 225
Boarding out in various countries, 196
in Austria, 139, 152
in Bavaria, 123
in Berlin, 88
in France, 215
in Norway, 196
in Switzerland, 175
supervision of, 78, 153
Bogenarme or registered poor in Bremen, 110
Bordeaux, institution for deaf and dumb, 224
Bouquoy (Count) founds his society in Bohemia, 137
his system extended throughout Austria, 143
Bourse des pauvres, 173
Bourses or scholarships, 220
Brabant (North) and Limburg, poor-relief chiefly by civil relieving bodies, 265
Brotherhoods in Austria, 131, 150
Bureau général in Paris, 203
Bureaux de bienfaisance in Belgium, 26, 244, 250
how elected, 251
their duties, 251
in France, 26, 203
manner of appointing, 204
their general object, 206
account of, in Paris, 234
Bureaux de mendicité in Switzerland, 168
Bürger Spital in Vienna, 131
Burgomastery, in Prussia, 67
Burial, free of cost, 78, 87, 102, 122, 281
Burial funds in Holland, 273
of the poor in Paris, 237
Butchers' and millers' tax, 55, 56

C.

Caisse de retraites, annuities, 230
Cantons in France, 211
Capitation tax in Unterwalden, 173
Capitularies of Charlemagne, 256
Cardani's monographs, 284
Catholics and Protestants, their proportion in Holland, 265
Caution money required from strangers, 247
Cemeteries belong to the communes in France, 237
Centralisation carried out in England, 21, 25
Certificates given to the poor and to beggars, 118, 132, 282
Certificates of attendance at school required, 145
Chambery, institution for deaf and dumb, 224
Charenton asylum, 217, 223
Charitable endowment commission in Austria, 138
Charitable foundations forbidden in Belgium unless sanctioned by the Sovereign, 240
confiscated in France, 203
Charitable institutions—
care of the poor left to them in Holland, 262
(list of) included in the law of charitable works in Italy, 274
(list of) in the provinces of Italy, 287
their property, 287

Charitable institutions—
may be altered if not suited to the times, 278
Charité in Berlin, 74, 91
Charité, Comités de, 251
Charlemagne's Capitularies as to the care of the poor, 256
Charles V. his orders in Belgium, 239, 240
his orders in Holland, 257, 269
his orders concerning begging and poor-relief in Germany, 11
Charles VI. of Austria, his principles of poor-relief, 133
Charles XI. of Sweden, his house of correction, 188
Charronne, poor-house, 236
Church, care of the poor by the, 2, 3, 93, 158
interfered with by royal orders in Holland, 259
Church and State, care of the poor by the, 22
in Zurich, 177, 182, 183
in Holland, 257
Church and State closely connected in Sweden, 186
Churches bound to support their patrons, 47
Circle, in Prussia, its average extent, 67, 68
Civic, or Burgher poor-relief, 159, 161, 162, 182
ill effects of in Zurich, &c., 170, 184
Civil care of the poor. See State
Claim to relief, 15, 16, 17, 29
in Austria, 142
Claim to relief, in Bavaria, 121, 122
in Norway, 196, 197
in Holland, 262
in Switzerland, 160, 163, 171
in Belgium, 242, 246
not recognised in France, 202, 238
nor in Prussia, 44, 53
Claims for compensation, 123, 127
in Switzerland, 171, 172
Clergy members of the relieving bodies in Austria, 143
Clergy Poor-law officers in Zurich, 183
members of the relief boards in Bavaria, 124, 128
often members of the Bureaux de bienfaisance in Belgium, 252
usually chairmen of the parochial committees in Sweden, 192, 193
and of the poor commissions in Norway, 199, 200
Close relief in Prussia, 87
provided by the Frederick hospital, 72
Clothes given to the poor, 84
Code Napoleon, does not include poor-law, 40
Collections in church, 105, 109, 119, 133, 143
Collections from house to house, 143
weekly, in Bremen, 107
made by brotherhoods in Vienna, 131
Comités de Charité, 251

Commissions · administratives, 212
Commissions des hospices civils, · 244, 251
how appointed, 252
Committee appointed by the Swedish Diet of 1809, 190
and by the King in 1837, 191
Communal grants, voluntary in France, 205
Communal corporations, 212
Communal government in Switzerland, 161
expenses, increase of in Belgium, 254
Commune (home) in Bavaria, 126
· of residence, 126
Communes to provide for their own poor, 10
in Austria, 132, 135, 142
in Bavaria, 118, 120, 122
in France, 204
in Prussia, 34, 38 (s. 10), 47 (*b*), 49
in Switzerland, 158, 160
Communes, duties of, in Belgium, 248, 249
Communes, number of, in France, 210
in Belgium, 254
Compensation. See Claims for Compensation
Compulsory labour, in Austria, 155
in Prussia, 37
in Switzerland, 175
Consent of the King required for the acceptance of certain gifts by charitable institutions, 252
Constituent Assembly, maxims of, 241
Constitution of 1798 in Holland, 258
Convalescent hospitals, 225
Convalescents, allowances to, 145, 150
Convention of 1793, vote of the, 242
effects of, in Belgium, 247, 253
Co-operation of legal and voluntary poor-relief, 32, 115, 116, 164, 166, 167, 246
of various classes needed, 113
of parishes in Sweden, 191
Corn magazines in Sweden, 193
Council of Surveillance in Paris, 232
of Tours, its enactments, 5, 203
Crèches or infant nurseries, 219, 288, 292, 293
Crèches-écoles gardiennes, 246
Crusades, their effect in Austria, 130
Cuppari's monographs, 284

D.

Dames de Charité, 205
Deacons, visitors of the poor in Bremen, 105
their duties, 110
Deacons (of the Church) in Holland, 257
Deacons insist on the attendance of children at school, 272
Deaf and dumb, 52, 89 (*c*), 146, 175, 250, 288

Deaf and dumb, institutions for, in France, 224
in Holland, 272
Delessert establishes savings banks, 227
Dépôts de mendicité, 20, 26
in Belgium, 252
cost of maintaining laid upon the communes, 248, 254
ordered in Holland by the Code Pénal, 269
established in France, 210
Directeur de l'assistance publique in Paris, 232
Disasters, aid in case of exceptional, 226
in Austria, 155
Disputes between relieving bodies, 53
Districts, town of Bremen divided into, 108
Domicile de secours, 126
Droit des indigents, 205
Dues for graves go in part to the poor, 237
Duty of relations, 17
in Austria, 149
in Bavaria, 122
in Bremen, 108
in Prussia, 45
in Switzerland, 174, 183
towards lunatics, 150
Dwellings for workmen in Paris, 225
for the poor in Holland, 273

E.

Ecclesiastical property (administration of) superintended by the Communal Council, 281
Écoles agricoles de réforme, 254
Education of the poor in Switzerland, 165
Education (gratuitous), 102, 110, 122, 154, 191, 220, 272, 281
partly so, 251
Education, payment for, not treated as poor-relief in Prussia, 75
Egbert, King of England, his law of poor-relief, 6
Elementary instruction to be provided in Italy, 285
Elizabeth, Queen of England, first established a local poor-rate, 9
her Act of 1601, 9
Émigration encouraged by grants, 176, 181
Emilia (The), list of institutions in, 293
Enfants assistés, 215, 236
Enquiry society in Basle and Lausanne, 168
Enquiry strictly enjoined in Elberfeld, 101
the duty of deacons in Bremen, 111
to be made by the Bureaux de bienfaisance, 206, 251
difficulties of, 112
necessary before granting relief, 32, 38 (s. 14)
Établissements généraux de bienfaisance, 221
Ethelred, King of England, his law of poor-relief, 6
Expenses of poor-relief falling on the communes, departments, &c., or the State, 20, 21, 217, 263

Expenses of poor-relief, how defrayed, 23
in Austria, 133, 143
in Bavaria, 24, 123, 124
in Belgium, 24, 250, 252
in Bremen, 24, 109, 114
in Brunswick, 24
in the Elbe Duchies, 24
in England, 24
in France, 24, 202, 205, 212, 233
in Hamburg, 24
in Hanover, 24
in Hesse Darmstadt, 24
in Hesse (Electoral), 24
in Holland, 24, 261
in Italy, 276, 281, 282
in Lübeck, 24
in Nassau, 24
in Oldenburg, 24
in Paris, 237
in Prussia, 24, 55, 57
in the Rhine Province, 40, 59
in Saxony, 24
in the Scandinavian States, 24
in Sweden, 187, 189, 192
in Switzerland, 172, 180, 183
Extra support, 82 (*c*), 85
Extra gifts in Bremen, 110, 111
Extravagance to be checked by the State, 38

F.

Female societies for relieving the poor in Bremen, 115
Ferdinand I., his patents, &c., concerning poor-relief, 132, 136
Ferrario's monographs, 284
Feudal lords to provide for their dependants, 6, 34, 132
Fines, given to the poor fund, 56, 134, 144, 252
Foreign voluntary societies in Switzerland, 169
Foreign poor relieved, 17, 121
Foreign beggars banished—
from Belgium, 249
from Prussia, 36, 38 (s. 4)
Foreigners, settlement of, in Belgium, 249
Foster-money, 79, 80, 82 (*b*)
Foster-parents, 88, 123, 124, 153, 215
Foundlings and foundling hospitals, 138, 151, 215, 236, 248, 250, 251, 263, 271, 282
Fourneaux économiques, 235
Francis I. of France called on communes and parishes to support poor, 10, 203
Franconian circle, decree of 1791, 120
Frederick orphan-house, 88
poor-house or hospital, 72
Frederick III. Elector of Prussia, his edict and orders for poor-relief, 34, 72, 73
Frederick William Hospital, 74, 90
Frederick the Great of Prussia, his edict, 35
Fredericksoord, beggar colony of, 270
Free passes by railway for sick foreign poor, 169
French revolution (effects of) in Bremen, 108
in Belgium, 241

French revolution (effects of) in France, 203
in the Netherlands, 258, 259
in Sweden, 190
French revolution (principles and effects of) as regards poor-relief in France, 203, 204
Fröbel gardens in France, 220
Funds for the poor in Austria, 134
established by order of Charles V. in Holland, 257

G.

Game, tax upon, for the poor, 55, 58
Gasthuizen in the Netherlands, 256
Genoa, list of institutions in, 289
German aid societies in Switzerland, 169
Ghent, house of correction, 252, 253
Gipsies in Holland, 269
"God's houses" in the Netherlands, 256, 258, 266, 267
Gossner institution in Berlin, 89
Griesbach reformatory, 176
Grisons, relief given there, in various ways, 176
Groningen, seafaring sick poor, 268
institution for deaf and dumb, 272
Grüne Haus in Berlin, 89
Guardians for prodigal and dissolute persons in Bavaria, 128
in Switzerland, 160
Guardianship exercised by poor-law authorities in Sweden, 193
Guilds, 6, 35
Gustavus Adolphus, his plan for improving poor-relief, 187

H.

Heiligengeist Meesteren, 256
Helpless and needy poor in Switzerland, 180
Helvetian State burgher, 159
Henry VIII., King of England, forbids independent alms-giving, 9
Henry II., of France, imposes a poor-tax, 203
Heydens or gipsies in Holland, 269
Hirschberg, 161
Hoffman's statistical table, 64
Hofjes, or free dwellings for the poor, 258, 266
Hôpital du Midi in Paris, 213
Hospice Brezin in Paris, 236
Hospice of Mont Genèvre, 223
Hospices Fondés in Paris, 236
Hospices civils, commission des, 244
Hospitals in Austria, 130
in Berlin, 74, 90, 91
in France, 212, 213
in Holland, 266
in Italy, 288
in Paris, 233
in Sweden, 187
called "of the Holy Ghost," 130, 186
for incurables, 147
intended for those who can pay, as well as for the poor, 149, 212, 213

House of correction, in Stockholm, 188
Houses for the poor in Holland, 258, 273
inspection of, in France, 221
for workmen in Paris, 225
of maintenance in Austria, 147

I.

Iceland, earliest known system of poor-relief there, and in Norway and Sweden, 7
Incurables hommes, incurables femmes, poor-houses, 236
In-door relief in Elberfeld, 97
Insane, 89 (*c*), 91 (E), 150, 217, 236, 251, 282
Institute in Bremen, 108
Institute and registered poor in Bremen, 110, 111
Institutes (poor) in Austria, 131, 137
Institutes maintained by private persons in Austria, 146
Institutions, general, charitable, in France. Établissements généraux de bienfaisance, 221
Insurance funds against accidents, and in case of death, 230, 231
Invalid soldiers, 36, 51, 132, 133, 135, 188
Inventory of property, to be kept by charitable institutions, 275

J.

Jacini's monographs, 284
Jews, members of boards of relief in Bavaria, 128
Joseph II., his rescript of 1781 on poor-relief in Austria, 138
Jura (Bernese) voluntary system of poor-relief, 181

K.

Kalchrain house of detention, 175, 176
Kappel poor-house, 175
Klein and Gross Watern, beggar colonies, 270
Klosterfichten, 175
Koran, its system of almsgiving, 1, 5
Krefeld, 93

L.

La Rochefoucauld, maison de retraite, 236
Laegd, or boarding-out in Norway, 185, 196
Land-tax for the poor in Switzerland, 173
Land-tax, one centime added to it for charitable purposes, 226
Land and trade tax, augmentation of, for the poor in Sweden, 192
Land poor-houses, 52, 58
Land poor-unions, 58, 68 (*b*)
established in Prussia, 36
obligations of, 51
their number, 70
Landrecht, or national code in Prussia, 37 (*b*)
Lausanne society to repress begging, 168
Law of 1829 in Bremen, 108
of Frimaire, an 5, in France, 204

Law of charitable works in Italy, 274
Law "Siccardi" in Italy, 277
of 1845 in Norway, 195
of 1571 in Sweden, 186
Laws forming the foundation of poor-relief at present—
in Bavaria, 121, 126
in France and Belgium, 244
in Sweden, 191
in the Netherlands, 259, 260, 261
Laws of poor-relief (first general) for the whole monarchy of Prussia, 41 (*c*)
communal and provincial in Italy, 280, 281
Lawsuits about repayment, 260
relief and maintenance of paupers, 53, 249
Legacies for the poor in Austria, 143
require sanction for acceptance in France, 205
Legal claim for relief not allowed in Berne, 181
Legal assistance (gratuitous) in Austria, 154
in Bavaria, 128
in France, 227
Legislative Assembly, theories of the, 242
Lenzburg prison, 175
Leprosy hospital in Vienna, 131
Limburg and North Brabant, poor-relief chiefly by the State, or civil relieving bodies, 265
Lindau, Diet of, concerning begging, 11, 118
Loans of furniture, &c., 85 (*c*)
Local relief (principle of) carried out in Austria, 135
in Belgium, 245, 250
in Berne, 162
effects of in the Netherlands, 264
Lodgings provided for the poor, 120
Lombardy, list of institutions in, 292
Lotteries for the benefit of the poor, 106
Louis XIV. of France, his ordinance to organise poor-relief, 11
Lunatics and lunatic asylums, 150, 175, 198, 223, 236, 288, 289, 292, 293
Lutheran commune of the cathedral in Bremen, 106
Lutherans and Reformed together administer poor-relief in Bremen, 108
Lying-in hospitals and institutions, 115, 151, 218, 288, 292

M.

Maestri's L'Italie économique, 286
Magistrat or magistracy, 66, 75
Maisons de santé, 218
Maisons de retraite for the aged, 235
Maria Theresia, her enactments for poor-relief, 134, 240
Marriage of paupers protested against, 181
not allowed without sufficient means of maintenance, 134

Marriage of paupers not allowed freely in Sweden, 193
Massara's monographs, 284
Masters and servants, duty of support, 47
Médecine gratuite, 220
Mediation government, 159
Medical aid—
in Austria, 148
in Bavaria, 123
in Belgium, 251
in Berlin, 86
in Bremen, 110, 111
in Elberfeld, 102
in France, 220
in Italy, 281
in Norway, 200
liberally supplied in Paris, 233, 235
misapplication of, in Bremen, 116
Ménages, maison de retraite, 235
Military authorities, beggars and paupers handed over to, 133
Millers' and butchers' tax, 55
Missi dominici, 256
Money-lending institutions in Holland, 273
in Italy, 288, 290, 291, 292, 294
Mont Genèvre hospice, 223
Monthyon convalescent institution, 226
Monti Frumentarii in Italy. See tables on pp. 288, 291, 292, 294
Monts de piété in France, 214, 220, 228, 237
Moulin, ordinance of, empowering the communes to levy rates, 10
Munich, administration of poor-relief, 124, 128
Mutual aid societies, 226, 227, 229, 280, 295

N.

"Necessary" poor, 160
Needy and helpless poor in Switzerland, 180
Neighbourly love association, 137
Nimeguen capitulary to prevent begging, 6
North Brabant and Limburg, poor-relief chiefly by the State or civil relieving bodies, 265
North Brabant, effect of repayments in, 268

O.

Oberegg, 161
Obligation to afford relief, 15, 16
by private persons in Prussia, 45
Offo-Vertreter (legal office), 154
Old age fund, 230
Old and infirm, 90 (*c*), 147, 181
duty of the commune to take charge of, 203
grants made to in Paris, 234
institutions for, in France, 218
in Paris, 235
only, allowed to beg, 132
allowances made to in Austria, 146
Ommerschans reformatory, 271
Ommerschans and Veenhiuzen, beggar colonies undertaken by the State, 270

Open relief in Berlin, 79, 85
Organised voluntary societies in Switzerland, 181
Orphan house in Stockholm, 188
Orphan offices in Berlin, 78, 89
Orphanages in Italy, 288, 289, 291, 293
Orphans, care of, in Austria, 153
in Belgium, 251
in Berlin, 72, 88
in France, 215, 219
in Norway, 198
in Switzerland, 175
in beggar colonies, 270, 271
Out-door poor relieved by the 'Bureaux de bienfaisance in France, 206
in Belgium, 251
Out-door relief in Paris, 234
in the Netherlands, 261, 266
Ouvroirs, or institutions for providing work, 220

P.

Paris, special administration of poor-relief, 204, 232
account of poor-relief in, 232
Parish, the division for poor-relief in Austria, 143
bound to maintain its own poor in Sweden, 188
Pauper discipline in Prussia, 54
in Bavaria, 129
in Sweden, 194
Pauvrisseurs in Belgium, 240
Payments required by hospitals, 146, 148, 149
Pedlars, law in Austria relating to, 154
Pères nourriciers in France, 215
Piedmont, list of institutions in, 288
Poll-tax for the poor in Sweden, 192, 195
Poor, three stages in treatment of, 2
difficulty of numbering, 283
Poor colonies in Bavaria, 128, 129
persons without settlement sent to, in Holland, 264
Poor commissions in Berlin, 77
in Norway, 197, 199
Directory, 75
fathers in Austria, 137, 143
fund in Berlin, 72
Poor-houses, 50, 72, 128
unsuccessful in Switzerland, 175
in Paris, 236
central poor-house erected in Bremen, 106
in Sweden, 193
Poor institutes in Austria, 131, 142
to inherit money left to "the poor," or to "my soul," 143
for out-door relief in Austria, 137
their organisation, 143
statistics, 147
set on foot by private persons, 146
Poor-law Board, 22
Poor-laws, no country absolutely without, 14
none in some Swiss cantons, 171
Poor-rates established in England, 9

Poor-rates sanctioned by law in France, 10
Poor-tax—
on theatres, game, etc., 55, 58, 214, 237
a description of, levied in Bavaria, 124, 127
levied in Switzerland, 159, 162, 183
almost abolished in Berne, 179
who liable for, 173
forbidden in Canton Neuchâtel, 160
threatened in Bremen, 107
not recognised in Belgium, 250
nor in France, 202
power granted to levy it in Paris, 203
and legal claim to relief go hand in hand, 31
in Norway, 196
Population in Belgium, 239, 240
in Bremen, 112
in Elberfeld, 94, 95
in France, 211
in Italy, 288, 289, 291, 292, 293
in Prussia, 64, 65
in Sweden, 194
in Switzerland, 157
receiving relief in Berlin, 80, 92
Portions or allowances for out-door relief in Austria, 146
Potato, cultivation of by the poor, 83 (*a*)
Poverty, legal definition of, 31, 53
Poverty, causes of, in Berlin, 82
in Switzerland, 170
causes of to be inquired into, 38, 111
in the time of Charles V., 239
Priest of each parish one of the administrators of poor-relief in Austria, 143
Principles of the Prussian poor-law, 37, 39
Property of charitable institutions in Italy, 287
Protestants and Catholics, their proportion in Holland, 265
Provincial deputation in Italy, 276
duties of, 277
Prussian poor-law, treatises on, 48
principles of, 37, 39
Public relief in Prussia, the so-called principles of, 37

Q.

Quinze-vingts institution for the blind, 222

R.

Reading and writing, deficiency of, in Italy, 285
Realta house of detention, 175
Reform carried out by Joseph II. in Austria, 138
plans for, in Bremen, 116
Reformation, effects of, in Sweden, 186
Reformation in Holland, 257
Reformatories in Prussia, 52
and prisons in Switzerland, 175
in Italy, 288, 292

Reformatory at Ruysselede, 254
at Ommerschans, 271
in Berlin, 89
Reggio di Calabria, want of roads in, 285
Registered and institute poor in Bremen, 110, 111
Registers of the poor, kept by voluntary societies, 166
by the Bureaux de bienfaisance in France, 206
Relations. See Duty of relations
Relief, conditions of, in different countries, 17, 18, 19
Relief, three stages of, 2
three systems of, in Switzerland, 178
claim to. See Claim to relief
varieties of, in the Grisons, 167
temporary and permanent in Austria, 144, 145
given for town and country by the charitable institutions of Vienna, 132
amount of, per head, in Belgium, 255
by Church and State together in Holland, 257, 258
given in kind rather than money in Holland, 263
in Bavaria, 123
in Berlin, 83
in France, 206, 234
liberally bestowed in Paris, 233
in money, in Elberfeld, 100, 102
in Bavaria, 123
in Berlin, 80
Relief, total amount of, in Prussia, 64
(average) to each person in Prussia, 64
given by the Poor Directory in Berlin as "benevolence" in some cases, 91, 92
generally regarded as a loan, 24, 59, 193
various modes of providing, 26
Removal of the poor, by their own commune, to another, 248
from place to place, its effect in Holland, 264
to their own communes, 42, 43, 50 (4), 163, 164, 189, 246
Repayments, 30, 50, 59, 123, 127, 172, 174, 183, 213, 248, 249
lawsuits concerning, 260
rights as to, in Holland, 260, 262
effects of, in Holland, 268
for foundlings in Austria, 153
for the sick, renounced in Groningen, 268
for lunatics and foundlings in France, 237
treaties and agreements concerning, 171, 172, 249
Reports required in Holland, 258, 259, 261
in Holland, unsatisfactory, 265
Resident and non-resident paupers in Switzerland, 162

Revolution of 1848, its effects on savings banks, 229
Rhenish Palatinate, 125
Rhine province, poor laws in the, 40
Richard II., King of England, his statute as to poor-relief, 8
Roads, want of, in Italy, 285
Rome, no laws for poor-relief in old, 1
Rooms for the sick and poor in Sweden, 187, 188, 189
Rotterdam, institution for deaf and dumb, 272
Rudolf's hospital in Vienna, 149
Rummelsburg orphanage, 88
Ruysselede reformatory for boys, 254

S.

St. Gall society, 167
St. Johannis Kloster in Bremen, 106
St. Michel Gestel institution for deaf and dumb, 272
Ste. Périne, maison de retraite, 236
Salles d'asile or infant schools in France, 220
Salpétrière, poor-house and lunatic asylum, 236
Sanction of the Sovereign required for founding and altering charitable institutions, 277, 278, 279
for accepting charitable and testamentary gifts, 252, 277
of the Minister of the Interior required in Italy in certain cases, 277
Sardinia, list of institutions in, 291
Savings banks in France, 227
in Holland, 273
in Italy, 295
in Switzerland, 165
School, attendance required, 145, 272
fees in Prussia, 59
School or Skole-Laegd, 197
Schools (foundation of free) in Berlin, 72
for neglected children, 89 (*b*)
for the deaf and dumb, 89 (*c*), 165, 272
on the Pestalozzi system, 164
needed in Italy, 285
elementary, in France, 220
and allowances for scholars, 288, 290, 291, 292, 294
Sea-side hospital at Berck-sur-mer, 233
Secours d'hospice, 235
Secours spéciaux to the blind, &c., 235
Servants, regulations concerning, 47, 149, 155
Session in Bremen, 111
Settlement (law of) in Austria, 19, 134
in Baden, 19
in Bavaria, 118
in Belgium, 246, 248
in Bremen, bar to free, 108
in Denmark, 18
in East Friesland, 19
in England, 18
in the Free Towns, 19
in Hanover, 19

Settlement (law of) in Nassau, 19
in the Netherlands, 18, 259, 263
in Norway, 18, 196, 198
in Oldenburg, 19
in Prussia, 18, 41, 42
in Saxony, 19
in Schleswig-Holstein, 19
in Sweden, 18, 191, 192
in Switzerland, 158, 159, 161, 163, 171
Settlement by birthplace preferable in large communes, 264
right of free, in Prussia, 42
Ships to take out poor lads, 189
"Siccardi" law of 1850, 277
Sick funds in Holland, 273
houses in Austria, 148, 149
statistics of, 150
Sick and poor to receive assistance from their lords, 132
out-door treatment of, in Austria, 149
Sick and infirm receive immediate relief, 171, 172
Skole or school Laegd in Norway, 197
Sociétés de charité maternelles, 219
Societies for mutual aid, 229, 295
(voluntary). See voluntary societies
Society for general benefit, 272, 273
Soldiers (invalid) in Austria, 133, 135
in beggar colonies, 271
in Prussia, 36, 61
Soldiers (invalid), house for, in Sweden, 188
Solothurn, society for providing work in, 165
Soup given in winter, 84 (*b*), 102
State, care of the poor by the, 5, 7, 8
in Prussia, 37, 52 (*d*)
State bound to provide work or relief, 37, 242
bound to check extravagance, 38
bound to superintend poor-relief in the Netherlands, 260
charitable institutions in France, 221
in Austria, 149, 150
subsidies to some institutions in France, 227
Statistics, use of, 27
of relief, in Elberfeld, 96
in Belgium, 254
in Berlin, 79
in Bremen, 114
in France, 206, 237
in Holland, 265, 267
in Italy, 286
in Paris, 234, 237
in Prussia, 63, 64, 65
in Sweden, 194, 195
in Switzerland, 184
of Bureaux de bienfaisance in France, 209
concerning beggars in Italy, 283
of hospitals in France, 213
Stewards for the poor or pauvrisseurs, 240
Heiligengeist Meesteren, 256
Strangers in Bremen, 106

Strangers in Berlin, 91 (E)
(settlement of) in Belgium, 247
in Holland, 259, 263
Subscriptions for the poor, weekly in Bremen, 107, 109
Subscriptions for the poor by the departments to the Paris hospitals, 235
Subventions granted to the Bureaux de bienfaisance in Paris, 234
Sundt (Eilert), result of his inquiries in Norway, 199
Superintendence of charitable institutions by the Minister of the Interior in Italy, 278
Superintendence of charitable institutions by the communal council, 281
by the commune in Belgium, 250
Supervision of relief in Bavaria, 119
in Italy, 280

T.

Talmud, system of poor-relief enjoined by the, 3
Testamentary gifts, 143 (*d*), 158
Theatres and theatrical entertainments, tax upon, 55, 205, 214, 252
Thorberg prison, 175
Tithes partly given to the poor in Sweden, 185
Tours, Council of, its enactments regarding the poor, 5, 263
"Tours" in foundling hospitals, 217
Towns in Sweden to maintain their own poor, 191
Tradesmen's and workmen's subscriptions to funds for sickness, &c., 181, 226
Travellers, relief to poor, 166, 169
Treaties for repayments of expenses incurred by relieving foreign poor, 172, 249

U.

Union law in Italy, 295
Unions (poor-law), 19, 20
first ordered in Prussia, 35
(Land-poor) established, 36
Unorganized charity, ill effects of, 169

V.

Vagrants punished by imprisonment, 211
Vandermersch's report on the poor of Belgium, 239
Veenhuizen and Ommerschans, 270
Veenhuizen orphanage, 271
Venice not included in reports, 286, 295
Verein zum Wohlthun, 115
Versorgungshaüser, 147
Vesinet, convalescent hospital, 225
Vincennes, convalescent hospital, 225
Visitors of the poor in Elberfeld, their duties, 99, 101
Vives, his pamphlet on poor-relief, 257
Vledder, beggar colony, 270

Voluntary care of the poor, in Elberfeld, 97, 103.
in some parts of Switzerland, 160
in Basle, 178, 184
in Berne, 179
Voluntary care of the poor, the principle of poor-relief in France, 202
and in Belgium, 240
Voluntary charity controlled in Bavaria, 125
societies for poor-relief in Appenzell, 165
societies for poor-relief in Bremen, 115
Voluntary societies working with the poor-law authorities, 115, 116, 164, 166, 167, 184.
free formation of, in Belgium, 246
collections for the poor, 173
offerings in Bremen, 107
relief organised in Belgium, 240
Von Möller, his works on Prussian poor-law, 48

W.

Wadstena, home for invalid soldiers, 188
Wages of beggars in the dépôts de mendicité, 211
War of parishes in Sweden, 190
Watteville, his statistics of poor-relief in France, 207
Weaving and spinning carried on in beggar colonies, 271
Westphalia, order relating to poor-relief in, 66
Willemsoord, beggar colony, 270
Women, societies under the management of, in Bremen, 115
in Holland, 272
Work, to be provided if possible, 111, 133, 206
according to the decrees of the Convention, 243
Work for young girls, 220
for the inmates of houses of maintenance in Austria, 147
Workhouse in Berlin, 89 (B)
system in Bremen, a precursor of the English poor-law of 1834, 109
Workhouses in Bavaria, 128
in Austria, 133
in Holland, 258
in Norway, 196
in Switzerland, intermediate between poor-houses and prisons, 176
number of, in Holland, 266
Workmen's and tradesmen's subscriptions, 181, 226
Workmen's dwellings in Paris, 225

Y.

Ypres, order respecting the poor of, 240, 257

Z.

Zchokke's societies in canton Aargan, 165
Zurich, poor laws in canton, 182

LONDON: PRINTED BY EDWARD STANFORD, 6 & 7, CHARING CROSS.

Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018